PLANO CITY COUNCIL
REGULAR SESSION
August 9, 2021

COUNCIL MEMBERS PRESENT
John B. Muns, Mayor
Kayci Prince, Mayor Pro Tem
Maria Tu, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Grady
Shelby Williams
Julie Holmer
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 Muns convened the Council into the Regular Session on Monday, August 9, 2021 at 7:26 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

Dr. Craig Curry with First Baptist Church led the invocation and Girl Scout Troop 6553 with Armstrong and Bowman Middle Schools led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Presentation: Carter BloodCare and the Plano Rotary Clubs presented the Battle of the Badges Trophy for the 2021 Blood Drive.

Comments of Public Interest

Ron Johnson spoke to resources for the homeless.

- **North Texas Municipal Water District Operations Overview-Rowlett Creek Regional Wastewater Treatment Plant (continued from the Preliminary Open Meeting)**

- **Discussion and direction re: Council Rules of Procedure**

The Council discussed adding "A motion to table takes precedence over another pending motion", under Procedure for Tabling an Item, add the motion to table is seconded and having discussion before a motion is made. This item will be brought back to a future meeting.

- **Consent and Regular Agendas –** Consent Items K and L were pulled for individual consideration by Council Member Williams and citizens.

- **Council items for discussion/action on future agendas**

Council Member Holmer, seconded by Council Member Grady, requested a discussion regarding a partnership with PISD for joint use of athletic facilities for pickleball. Council Member Tu requested a report regarding Homelessness and Mental Health be placed on an agenda later in the fall. City Manager Israelson stated a report was scheduled for September meeting.

Consent Agenda

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

Approval of Minutes

July 26, 2021
July 28, 2021
(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. 2021-0400-B for a One-ton Single Rear Wheel (SRW) RKI Utility Body with Wachs TM-7 Power Take Off (PTO) Valve Operator to be used by Utility Maintenance Operations to Randall Reed Ford in the amount of $86,880; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

RFB No. 2021-0446-B for Three-quarter-ton Crew Cab Pickup Trucks to be used by various departments to Caldwell Country Chevrolet in the amount of $130,031; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

RFB No. 2021-0266-AC for a one (1) year contract with four (4) one-year automatic renewals for Tire Re-Capping Services for the Inventory Control Asset Management Department to Southern Tire Mart, LLC in the estimated annual amount of $73,785; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

Approval of Contract Modification

To approve an increase to the current awarded amount of $10,157,180 by $467,000, for a total contract amount of $10,624,180, for Aclara Star Meter Transmission Units and Related Installation Hardware from Core & Main LP for Customer & Utility Services; and authorizing the City Manager to execute all necessary documents. (Contract No. 2019-0084-AC; Modification No. 1) (Consent Agenda Item "E")

Approval of Expenditure

To approve an expenditure for landscape architect professional services for Caddo Park Renovation Construction Documents, Project No. 7220.1, in the amount of $149,955 from Dunaway Associates, LLC for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "F")

To approve an expenditure for Irrigation Control Replacements in the estimated amount of $248,510 from Interspec LLC for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "G")

To approve an expenditure for engineering professional services for Thoroughfare Standards and Traffic Calming Policy, Project No. 7366, in the amount of $299,641 from Kimley-Horn and Associates, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "H")

Adoption of Resolutions

Resolution No. 2021-8-1(R): To appoint an Associate Judge of the Municipal Court of Record of the City of Plano, setting the term of office and compensation for the Judge; and providing an effective date. (Consent Agenda Item "I")

Adoption of Ordinances

Ordinance No. 2021-8-2: To amend Section 16-103 (Definitions), Section 16-105 (Heritage Commission – Powers and Duties), and Section 16-111 (Designation of Heritage Resources – Procedure) of Ordinance No. 2019-8-5, codified as Article VI, Heritage Resource Preservation, of Chapter 16, Planning and Development, of the Code of Ordinances; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item "J")

Ordinance No. 2021-8-3: To amend Section 12-73 (d) of Article IV, Speed, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to revise the effective times for the school zone on various streets, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item "M")

End of Consent

To repeal Ordinance No. 2020-12-1 codified as Section 2-109, Campaign Contribution Recusal Requirement for City Council Members, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item "K")

Cathie Alexander, Pat Greer, Georgia Thurman, Charles Heflin, Ed Acklin, Aaron Boyd, Collen Aguilar-Epstein, Lydia Ortega, Maria Garcia, Gregory Knapp, Michelle Ferrer, Judith Frederic, Denise Midgley, Judy Villarreal, Connor Barron, Lily Bao, Justin Adcock, Adrienne Fried, Carol Sewell, Francine McDermott, John Donovan, Mike Terner, and Matt Dixon spoke in opposition of repealing the ordinance. Bill Lisle spoke in support of repealing the ordinance.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Mayor Pro Tem Prince, the Council voted 8-0 to table the item.

Ordinance No. 2021-8-4: To amend Section 2-98(d), Additional Standards – Political Activity - Employees, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; adding a prohibition against Council Members using their position or title in endorsement of City Council candidates in city elections; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item "L")

Lydia Ortega spoke in opposition of the amendment. Council Member Williams, seconded by Council Member Ricciardelli, made a motion to table the item. The Council voted 4-4, with Mayor Muns, Mayor Pro Tem Prince, Deputy Mayor Pro Tem Tu and Council Member Holmer in opposition. The motion failed.

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Grady, the Council voted 6-2, with Council Members Williams and Smith in opposition, to amend Section 2-98(d), Additional Standards – Political Activity - Employees, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; adding a prohibition against Council Members using their position or title in endorsement of City Council candidates in city elections; and further to adopt Ordinance No. 2021-8-4.

The Council took a 10 minute recess.

Consideration to approve an Amended and Restated 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. (Regular Item "1")

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Smith, the Council voted 8-0 to approve an Amended and Restated 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

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-016 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, expanding Specific Use Permit No. 4 for Sewage Treatment Plant with restrictions and granting Specific Use Permit No. 162 for Service Yard with restrictions on 17.1 acres of land located on the east side of Los Rios Boulevard, 1,030 feet north of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Agricultural with Specific Use Permit No. 4 for Sewage Treatment Plant; 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: North Texas Municipal Water District (Tabled at the April 6, 2021, April 26, 2021, and May 24, 2021, City Council Meetings.) (Regular Item "2")

Mayor Muns opened the public hearing. Mark Simon, Assistant Deputy of Engineering at North Texas Municipal Water District spoke to the changes. Cassandra Bowell, Shep Stahel, Cathie Alexander, Colleen Aguilar-Epstein, Pat Greer, Paul McFarland, Scott Linden, Lydia Ortega, Mary Dailey, Oleta Phillips and Justin Adcock spoke in opposition. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Council Member Williams and seconded by Deputy Mayor Pro Tem Tu, the Council voted 5-3, with Mayor Muns, Mayor Pro Tem Prince and Council member Grady in opposition, to deny expanding Specific Use Permit No. 4 for Sewage Treatment Plant with restrictions and granting Specific Use Permit No. 162 for Service Yard with restrictions on 17.1 acres of land located on the east side of Los Rios Boulevard, 1,030 feet north of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Agricultural with Specific Use Permit No. 4 for Sewage Treatment Plant; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2021-016.

Public Hearing and adoption of Ordinance No. 2021-8-5 as requested in Zoning Case 2021-013 to amend Article 5 (Variances and Appeals of Administrative Decisions), Article 8 (Definitions), Section 11.1000 (Neighborhood Conservation Overlay Districts), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to recent state legislative actions and to ensure compliance with state law; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. (Regular Item "3")

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

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Grady, the Council voted 8-0 to amend Article 5 (Variances and Appeals of Administrative Decisions), Article 8 (Definitions), Section 11.1000 (Neighborhood Conservation Overlay Districts), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to recent state legislative actions and to ensure compliance with state law; as requested in Zoning Case 2021-013; and further to adopt Ordinance No. 2021-8-5.

Public Hearing on the FY 2021-22 Recommended Budget and the FY 2021-22 Proposed Community Investment Program (CIP). (Regular Item "4")

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

Discussion and Direction regarding Proposed Ad Valorem Tax Rate. (Regular Item "5")

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Williams, the Council voted 8-0 to set the tax rate to publish at the no new revenue rate of .4465 per $100 of valuation.

Resolution No. 2021-8-6(R): To accept the Certified Appraisal Rolls for Fiscal Year 2021-22 for Collin County and Denton County; and providing an effective date. (Regular Item "6")

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Ricciardelli, the Council voted 8-0 to accept the Certified Appraisal Rolls for Fiscal Year 2021-22 for Collin County and Denton County; and further to adopt Resolution No. 2021-8-6(R).

Discussion of the Proposed FY 2021-22 Community Investment Program. (Regular Item "7")

With no further discussion, the Regular City Council Meeting adjourned at 12:19 a.m.

_____
John B. Muns, MAYOR

ATTEST:

_____
Lisa C. Henderson, City Secretary