**PLANO CITY COUNCIL**
**REGULAR SESSION**
**December 7, 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
Sam Greif, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary
Andrew Fortune, Director of Policy and Government Relations

Mayor Muns convened the Council into the Regular Session on Monday, December 7, 2021 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

Reverend Dr. Victor Kollmann with Messiah Lutheran Church led the invocation and Girl Scout Troop 194 led the Pledge of Allegiance and Texas Pledge.

## Proclamations and Special Recognitions

Presentation: BEST Neighborhoods Platinum designation signs were given to three Plano neighborhoods.

## Comments of Public Interest

Lydia Ortega spoke to property rights.
Matt Dixon spoke to the Plano Tomorrow Plan, lawsuit and new comprehensive plan.

## Consent Agenda

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

**Approval of Minutes**

November 22, 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. 2021-0530-B** for Plano Event Center HVAC Replacement for the Facilities Department to Infinity Contractors International LTD. in the amount of $1,422,287; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

**Purchase from an Existing Contract**

To approve the purchase of Trash and Recycling Carts for a one (1) year contract with four (4) automatic one-year renewals for Environmental Waste Services in the estimated amount of $543,131 from Rehrig Pacific Company through an existing contract; and authorizing the City Manager to execute all necessary documents. (Omnia Partners Contract No. 00254) (Consent Agenda Item "C")

**Approval of Change Order**

To approve a decrease to the current awarded contract amount of $22,980,671 by $148,806, for a total contract amount of $22,831,865, for Collin Creek Culvert Improvements, Project No. 6804.1, from Ragle, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2021-0253-B; Change Order No. 1) (Consent Agenda Item "D")

**Approval of Expenditure**

To approve an expenditure for Stop Loss Insurance for the calendar year 2022 in the estimated amount of $2,332,517 from Hays Companies for Human Resources; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "E")

**Approval of Contract / Agreement**

To approve a Revised and Restated Economic Development Incentive Agreement between the City of Plano, Texas, and Reata Pharmaceuticals, 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 "F")

To approve the terms and conditions of a Revised and Restated Economic Development Incentive Agreement for Tax Rebate for calendar years 2022-2032 by and between Reata Pharmaceuticals, Inc., a Delaware corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "G")

To approve a Revised and Restated Economic Development Incentive Agreement between the City of Plano, Texas, and Boeing Global Services, a division of The Boeing Company, 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 "H")

To approve the terms and conditions of a Landscape Maintenance Agreement between the City of Plano and the Texas Department of Transportation (TxDOT) to maintain new trees and irrigation to be installed in the medians of Preston Road immediately north and south of Legacy Drive; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "I")

**End of Consent**

**Public Hearing and adoption of Resolution No. 2021-12-1(R)** to approve the Policy Statement for Tax Abatement of the City of Plano thereby establishing criteria for evaluating incentive applications; establishing procedural guidelines and criteria governing tax abatement agreements; and providing an effective date. (Tabled at the November 8, 2021, City Council meeting.) (Regular Item "1")

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 Williams, the Council voted 8-0 to approve the Policy Statement for Tax Abatement of the City of Plano thereby establishing criteria for evaluating incentive applications; establishing procedural guidelines and criteria governing tax abatement agreements; and further to adopt Resolution No. 2021-12-1(R).

**Public Hearing and adoption of Ordinance No. 2021-12-2** as requested in Zoning Case 2020-032 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 142.5 acres of land located at the southeast corner of Spring Creek Parkway and Parkwood Boulevard in the City of Plano, Collin County, Texas, from Planned Development-242-Multifamily Residence-2, Planned Development-243-Retail/General Office, and Commercial Employment to Planned Development-51-Retail/General Office; 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: Haggard Enterprises, Ltd. and Acres of Sunshine, Ltd. (Regular Item "2")

Mayor Muns opened the public hearing. Rutledge Haggard, property owner and Clay Roby with Stillwater Capital, developer, spoke to the project. Steve Lavine, representing Avignon Windhaven HOA, Dana Walters, Charles Gillett and Warren Casteel spoke in support of the project. Jim Dillavou, Michael Terner, Lydia Ortega, Jaci Crawford, Cathie Alexander, Pat Greer, Keith Magee, Denise Midgley, Jessica Bartnick, Dianna Biscan, Colleen Aguilar-Epstein, David Kemp, Dan Chandler, David Baertsch, John Donovan and Matt Dixon spoke in opposition. Mayor Muns closed the public hearing.

**Public Hearing and adoption of Ordinance No. 2021-12-2(Cont'd.)**

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Mayor Pro Tem Prince, the Council voted 5-3, with Council Members Ricciardelli, Williams and Smith in opposition, to rezone 142.5 acres of land located at the southeast corner of Spring Creek Parkway and Parkwood Boulevard in the City of Plano, Collin County, Texas, from Planned Development-242-Multifamily Residence-2, Planned Development-243-Retail/General Office, and Commercial Employment to Planned Development-51-Retail/General Office; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2021-032; and further to adopt Ordinance No. 2021-12-2.

The Council took a brief recess at 9:50 p.m. and reconvened at 10:00 p.m.

**Public Hearing and adoption of Ordinance No. 2021-12-3** as requested in Zoning Case 2021-023 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 8.2 acres of land located 605 feet north of Windhaven Parkway and 820 feet west of Spring Creek Parkway in the City of Plano, Collin County, Texas, from Planned Development-243-Retail/General Office to General Office; 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: Forefront Living Plano, Inc. (Regular Item "3")

Mayor Muns opened the public hearing. David Martin with Winstead PC, on behalf of the applicant, spoke to the project. Jim Dillavou and Colleen Aguilar-Epstein spoke in opposition. Mayor Muns closed the public hearing.

**MOTION:** Upon a motion made by Council Member Smith and seconded by Mayor Pro Tem Prince, the Council voted 6-2, with Council Members Ricciardelli and Williams in opposition, to rezone 8.2 acres of land located 605 feet north of Windhaven Parkway and 820 feet west of Spring Creek Parkway in the City of Plano, Collin County, Texas, from Planned Development-243-Retail/General Office to General Office; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2021-023; and further to adopt Ordinance No. 2021-12-3.

With no further discussion, the Regular City Council Meeting adjourned at 10:15 p.m.

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**John B. Muns, MAYOR**

ATTEST:

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Lisa C. Henderson, City Secretary