PLANO CITY COUNCIL
REGULAR SESSION
January 24, 2022

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
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, January 24, 2022 at 7:01 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue and via videoconference. A quorum was present.

Pledge and Invocation

Law Enforcement Explorer Post 9-1-1 led the Pledge of Allegiance and Texas Pledge and Mayor Pro Tem Prince led the invocation.

Oaths of Office

Retirement Security Plan Committee – Jenny Zeilfelder

Comments of Public Interest

Sharon Overall spoke to second hand smoke dangers.
Dianne Elkins spoke to panhandlers in the city.
Deputy Mayor Pro Tem Tu spoke to Chinese New Year.

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, except Item "B" and Item "L" as follows:

Approval of Minutes

January 10, 2022
(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. 2022-0097-B for Hoblitzelle Park Trail Replacement at Red River, Project No. 7204, for the Parks & Recreation Department to Joel Brown & Co. LLC DBA J.B. & Co. LLC in the amount of $1,395,335; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

RFP No. 2021-0440-AC for a one (1) year contract with nine (9) automatic one-year renewals for data processing, printing, and mailing of utility bills and inserts for Customer and Utility Services to DataProse, LLC in the estimated annual amount of $218,066; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

Purchase from an Existing Contract

To approve the purchase of seven (7) Refuse Truck chassis in the amount of $1,415,207 from Bond Equipment Company, Inc. and seven (7) Refuse Truck bodies in the amount of $1,180,300 from Heil of Texas, for the total amount of $2,595,507, for Fleet Services to be used by Environmental Waste Collections through existing contracts; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 601-19 and BuyBoard Contract No. 599-19) (Consent Agenda Item "E")

Approval of Change Order

To approve a decrease to the current awarded contract amount of $2,234,209 by $176,589, for a total contract amount of $2,057,620, for OSP Fiber Cabling Network Phase II, Project No. 7130, from Gardner Telecommunications, LLC for the Technical Services Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2019-0346-B, Change Order No. 9) (Consent Agenda Item "F")

Approval of Expenditure

To approve an expenditure for Landscape Architect professional services for Bob Woodruff Park North Core Renovation Construction Documents, Project No. 7260.1, in the amount of $614,275 from Talley Landscape Architects Inc. for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "G")

To ratify the expenditure for twelve (12) days of Police RMS Software maintenance provided in the amount of $9,317 and approve the remaining expenditure in the amount of $274,089, for a total amount of $283,406, for a one (1) year contract with one (1) automatic one-year renewal from Cohero for Technology Services; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "H")

Approval of Contract / Agreement

To approve a Revised and Restated Economic Development Incentive Agreement between the City of Plano, Texas, and NTT DATA, 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 "I")

To approve a Revised and Restated Economic Development Incentive Agreement between the City of Plano, Texas, and Atlantic Aviation Ohana Corporation, a Delaware corporation ("Company"), formerly known as MIC Ohana Corporation, providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "J")

To approve a Revised and Restated Economic Development Incentive Agreement between the City of Plano, Texas, and Shutterfly, LLC, a Delaware limited liability company ("Company"), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "K")

To approve a Revised and Restated Economic Development Incentive Agreement between the City of Plano, Texas, and Tyler Technologies, 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 "M")

To approve a Development Agreement by and between the City of Plano, Texas and Metropolitan Interests Corporation, a Delaware Corporation authorized to conduct business in Texas, acting as General Partner for a yet to be formed Texas Limited Partnership; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "N")

Adoption of Resolutions

Resolution No. 2022-1-8(R): To accept the findings and opinions of the Annual Audit; authorizing the City Manager, or in his absence the Director of Finance, to publish the results thereof; and providing an effective date. (Consent Agenda Item "O")

Adoption of Ordinances

Ordinance No. 2022-1-9: To change the name of a portion of Geomap Lane, a dedicated street within the City of Plano, Collin County, Texas, to be named Love All Drive; providing for a change in the official records to reflect such action; and providing an effective date. (Consent Agenda Item "P")

Ordinance No. 2022-1-10: To repeal in its entirety City of Plano Ordinance No. 2018-11-9, codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2021 Edition of the International Building Code, with certain additions, deletions, and amendments, as the Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "Q")

Ordinance No. 2022-1-11: To repeal City of Plano Ordinance No. 2018-11-10, codified as Divisions 1 and 2 of Chapter 6, Buildings and Building Regulations, Article III, Property Maintenance Code, of the Code of Ordinances; and adopting the 2021 Edition of the International Property Maintenance Code, with certain additions, deletions and amendments, as the Property Maintenance Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "R")

Ordinance No. 2022-1-12: To repeal in its entirety City of Plano Ordinance No. 2018-11-11, codified as Division 2, Plumbing Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances; and adopting the 2021 Edition of the International Plumbing Code, with certain additions, deletions and amendments, as the Plumbing Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date**.** (Consent Agenda Item "S")

Ordinance No. 2022-1-13 To repeal in its entirety City of Plano Ordinance No. 2018-11-12, codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; adopting the 2021 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "T")

Ordinance No. 2022-1-14: To repeal Ordinance No. 2018-11-13, codified as Article IX, Electrical Code, Chapter 6 of the Code of Ordinances of the City of Plano, Texas; adopting the 2020 National Electrical Code with certain additions, deletions, and amendments as the Electrical Code for the City of Plano, Texas; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, a publication clause and an effective date. (Consent Agenda Item "U")

Ordinance No. 2022-1-15: To repeal in its entirety City of Plano Ordinance No. 2018-11-14 codified as Article XVIII, Energy Conservation Code, of Chapter 6 of the Code of Ordinances; and adopting the 2021 Edition of the International Energy Conservation Code, with certain additions, deletions and amendments, as the Energy Conservation Code of the City of Plano; 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")

Ordinance No. 2022-1-16: To repeal in its entirety City of Plano Ordinance No. 2018-11-15, codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2021 Edition of the International Fuel Gas Code, with certain additions, deletions, and amendments, as the Fuel Gas Code of the City of Plano; 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. 2022-1-17: To repeal City of Plano Ordinance No. 2018-11-16 codified as Article XX, Residential Code, of Chapter 6 of the Code of Ordinances; and adopting the 2021 Edition of the International Residential Code with certain additions, deletions, and amendments, as the Residential Code of the City of Plano; 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")

Ordinance No. 2022-1-18: To repeal in its entirety City of Plano Ordinance No. 2018-11-17, codified as Article XXII, Existing Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2021 Edition of the International Existing Building Code, with certain additions, deletions and amendments, as the Existing Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "Y")

Ordinance No. 2022-1-19: To repeal in its entirety City of Plano Ordinance No. 2018-11-18, codified as Article XXIII, Swimming Pool and Spa Code, of Chapter 6 of the Code of Ordinances and adopting the 2021 Edition of the International Swimming Pool and Spa Code, with certain additions, deletions and amendments, as the Swimming Pool and Spa Code of the City of Plano; providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "Z")

Ordinance No. 2022-1-20: To repeal Ordinance Nos. 2018-11-19 and 2020-7-3, codified as Article II, Fire Code, of Chapter 8, Fire Prevention and Protection, of the Code of Ordinances of the City; adopting the 2021 Edition of the International Fire Code, with certain revised additions, deletions and amendments as the Fire Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item "AA")

End of Consent

CSP No. 2022-0020-B for Memorial Park Donor Recognition Plaza, Project No. 6962.2, for the Parks and Recreation Department to RLM Earthco, Inc. in the amount of $623,904; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Ricciardelli, the Council voted 8-0 to approve CSP No. 2022-0020-B for Memorial Park Donor Recognition Plaza, Project No. 6962.2, for the Parks and Recreation Department to RLM Earthco, Inc. in the amount of $623,904; and authorizing the City Manager to execute all necessary documents.

To approve an Amended and Restated Economic Development Incentive Agreement between the City of Plano, Texas, and Maui Foods International, Inc., a Texas corporation ("Company"), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "L")

This item was not considered.

Public Hearing on the need to continue the City of Plano's Juvenile Ordinance (Ordinance No. 94-11-11), to receive a city staff report on the effectiveness of the Juvenile Curfew Ordinance; and to determine whether the ordinance should be abolished, continued, or modified. (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 Council Member Holmer and seconded by Council Member Williams, the Council voted 8-0 to continue the City of Plano's Juvenile Curfew Ordinance (Ordinance No. 94-11-11).

Public Hearing and adoption of Ordinance No. 2022-1-21 to accept and approve a Service and Assessment Plan and Assessment Roll for the Downtown Plano Public Improvement District; making a finding of special benefit to the property in the District; levying Assessments against property within the District and establishing a lien on such property; providing for the method of assessment and the payment of the Assessments in accordance with Chapter 372, Texas Local Government Code, as amended; providing penalties and interest on delinquent Assessments; providing for severability; resolving matters incident and related thereto; and providing an effective date. (Regular Item "2")

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

MOTION: Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Prince, the Council voted 8-0 to accept and approve a Service and Assessment Plan and Assessment Roll for the Downtown Plano Public Improvement District; making a finding of special benefit to the property in the District; levying Assessments against property within the District and establishing a lien on such property; providing for the method of assessment and the payment of the Assessments in accordance with Chapter 372, Texas Local Government Code, as amended; providing penalties and interest on delinquent Assessments; providing for severability; resolving matters incident and related thereto; and further to adopt Ordinance No. 2022-1-21.

To approve a Development Agreement by and between the City of Plano, a Texas municipal corporation, acting by and through its duly authorized officers, and Plano Public Facilities Corporation, a Texas Public Facilities Corporation authorized to conduct business in Texas for the K Avenue Lofts Project; and authorizing the City Manager to execute all necessary documents. (Regular Item "3")

To approve a Development Agreement (Cont'd.)

MOTION: Upon a motion made by Council Member Holmer and seconded by Mayor Pro Tem Prince, the Council voted 6-2, with Council Members Ricciardelli and Williams in opposition, to approve a Development Agreement by and between the City of Plano, a Texas municipal corporation, acting by and through its duly authorized officers, and Plano Public Facilities Corporation, a Texas Public Facilities Corporation authorized to conduct business in Texas for the K Avenue Lofts Project; and authorizing the City Manager to execute all necessary documents

With no further discussion, the Regular City Council Meeting adjourned at 7:52 p.m.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, City Secretary