



CITY COUNCIL

**1520 K Avenue, Plano TX 75074 and via
videoconference**

DATE: May 22, 2023

TIME: 7:00 PM

This City Council Meeting will be held in person in the Senator Florence Shapiro Council Chambers and via videoconference. A quorum of the City Council, including the presiding officer, will participate in person. The facility will be open to members of the public.

For those wanting to watch the meeting but not address the Council, the meeting will be live-streamed on Plano's website at www.planotv.org and [Facebook.com/cityofplano](https://www.facebook.com/cityofplano).

To pre-register to speak at the City Council meeting, please visit https://forms.plano.gov/Forms/Sign_Up_Citizen. Online registration opens at 5:00 p.m. on the Wednesday prior to the meeting and closes at 4:00 p.m. on the day of the meeting. Onsite registration is available on the day of the meeting until 15 minutes prior to the start of the meeting.

Emails regarding agenda items may be submitted to: councilcomments@plano.gov.

CALL TO ORDER

INVOCATION: Rev. DeAnna Golsan - Disciples Christian Church

PLEDGE OF ALLEGIANCE / TEXAS PLEDGE:

OUR VISION - PLANO IS A GLOBAL ECONOMIC LEADER BONDED BY A SHARED SENSE OF COMMUNITY WHERE RESIDENTS EXPERIENCE UNPARALLELED QUALITY OF LIFE.

The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.

PROCLAMATIONS AND SPECIAL RECOGNITIONS

Proclamation: May is National Historic Preservation Month, a time to encourage the saving of American historic treasures. **Presented**

Proclamation: May 29 is Memorial Day, a day to honor and remember all who have died while serving our country. **Presented**

COMMENTS OF PUBLIC INTEREST

This portion of the meeting is to allow up to three (3) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.

CONSENT AGENDA

The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. The Presiding Officer will establish time limits based upon the number of speaker requests.

Approval of Minutes

- (a) May 8, 2023 Joint Special Called Meeting
May 8, 2023
May 16, 2023 Special Called Session
Approved

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

- (b) RFB No. 2023-0281-ER for the initial term of \$1,742,220 or two (2) years, whichever occurs first, with two (2) City optional renewals for Sealing Requirements Contract - 2022, Project No. 7430, for Public Works Department to Talbran Enterprises LLC in the amount of \$1,742,220 for each term; and authorizing the City Manager to execute all necessary documents. **Approved**
- (c) RFP No. 2023-0201-B for a contract for Strategic Housing Plan and Related Policies for Neighborhood Services Department to RKG Associates, Inc. in the estimated amount of \$134,270; and authorizing the City Manager to execute all necessary documents. **Approved**
- (d) RFB No. 2023-0053-AC for a one (1) year contract with three (3) City optional one-year renewals for Printing and Mailing Services for Recreation Catalog to DFW Printing Services LLC in the estimated annual amount of \$104,500; and authorizing the City Manager to execute all necessary documents. **Approved**
- (e) RFB No. 2023-0210-AC for a one (1) year contract with five (5) automatic one-year renewals for Median and Right-of-Way Mowing, Group B, for Parks and Recreation Department to GreenList Services LLC in the estimated annual amount of \$125,000; and authorizing the City Manager to execute all necessary documents. **Approved**

- (f) RFB No. 2023-0136-B for Plano Event Center Courtyard Redevelopment, Project No. 7144.1, for the Parks and Recreation Department to The Fain Group, Inc. in the amount of \$3,233,380; and authorizing the City Manager to execute all necessary documents. **Approved**
- (g) RFB No. 2023-0263-B for Intersection Improvements - Parker Road Corridor at Coit Road and Alma Drive, Project No. 5926.1, for the Engineering Department to Jim Bowman Construction Company, L.P. in the amount of \$2,927,499; and authorizing the City Manager to execute all necessary documents. **Approved**

Purchase from an Existing Contract

- (h) To approve the purchase of hazmat detection equipment for Fire-Rescue in the amount of \$131,348 from FarrWest Environmental Supply Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. EP11-20) **Approved**
- (i) To approve the purchase of forty (40) L5Q and ten (10) L6Q Motorola Deployable License Plate Reader Cameras with a five (5) year service subscription for the Police Department from Motorola Solutions Inc. in the amount of \$100,000 annually, for a total in the amount of \$500,000, through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-TSO-4101) **Approved**
- (j) To approve the purchase of Fitness Equipment for the Carpenter Park, Oak Point and Tom Muehlenbeck Recreation Centers in the estimated amount of \$482,860 from Team Marathon Fitness, Inc. dba Marathon Fitness through existing contracts; and authorizing the City Manager to execute all necessary documents. (Sourcewell Contract No. 081120-PCR and BuyBoard Contract No. 665-22) **Approved**

Approval of Expenditure

- (k) To approve an expenditure in the amount of \$3,300,000 for the purchase of real property located at 708 16th Street from 708 E 16th Street LLC and 1509, 1511 & 1513 G Avenue from the Haggard Living Trust & The Neely Living Trust; and authorizing the City Manager to execute all necessary documents. **Approved**

Approval of Contract / Agreement

- (l) To approve the First Amendment to the Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano, Texas for the use of a community garden at the Parkway Transfer Station Facility; and authorizing the City Manager to execute all necessary documents. **Approved**
- (m) To approve a Second Modification to the terms of the Lease Agreement between the City of Plano, Texas and Plano Sports Authority, Inc. (PSA), allowing for the use of the Leased Premises by adults with approval by Plano Parks and Recreation; and authorizing the City Manager to execute all necessary documents. **Approved**

Adoption of Resolutions

- (n) To authorize and establish precedent in harmony with the Americans with Disabilities Act (ADA) of 1990; creating a standard for closed captioning for public facing televisions at City facilities; and providing an effective date. **Adopted Resolution No. 2023-5-6(R)**

Adoption of Ordinances

- (o) 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. **Adopted Ordinance No. 2023-5-7**

ITEMS FOR INDIVIDUAL CONSIDERATION:

Public Hearing Items:

Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The Presiding Officer may amend these times as deemed necessary.

Non-Public Hearing Items:

The Presiding Officer will permit public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order requests are received until the cumulative time is exhausted.

- (1) Second Reading and consideration of an Ordinance to amend Section 3 of Ordinance No. 2003-6-3, Section I of Ordinance No. 2008-4-42, Section I of Ordinance No. 2015-10-17 and Section I of Ordinance No. 2019-11-15 to extend the non-exclusive franchise granted to Denton County Electric Cooperative, Inc., d/b/a CoServ Electric, a Texas electric cooperative corporation, to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public rights-of-way in the City of Plano, Collin County, Texas, for the purposes of constructing and operating an electric distribution system in the City of Plano; and providing a repealer clause, a severability clause, a publication clause, and an effective date. (First reading was held at the April 10, 2023, City Council meeting.) **Second reading conducted and adopted Ordinance No. 2023-5-8**

Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023

DEPARTMENT: City Secretary

DIRECTOR: Lisa Henderson, City Secretary

This City Council Meeting will be held in person in the Senator Florence Shapiro Council Chambers and via videoconference. A quorum of the City Council, including the presiding officer, will participate in person. The facility will be open to members of the public.

For those wanting to watch the meeting but not address the Council, the meeting will be live-streamed on Plano's website at www.planotv.org and [Facebook.com/cityofplanotx](https://www.facebook.com/cityofplanotx).

AGENDA ITEM: To pre-register to speak at the City Council meeting, please visit https://forms.plano.gov/Forms/Sign_Up_Citizen. Online registration opens at 5:00 p.m. on the Wednesday prior to the meeting and closes at 4:00 p.m. on the day of the meeting. Onsite registration is available on the day of the meeting until 15 minutes prior to the start of the meeting.

Emails regarding agenda items may be submitted to: councilcomments@plano.gov.

RECOMMENDED ACTION: Location Link



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Proclamations
DIRECTOR: Christina Day, Director of Planning
AGENDA ITEM: Proclamation: May is National Historic Preservation Month, a time to encourage the saving of American historic treasures.
RECOMMENDED ACTION: Proclamations and Special Recognition

ITEM SUMMARY

Proclamation: May is National Historic Preservation Month, a time to encourage the saving of American historic treasures. **Presented**



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Proclamations
DIRECTOR: Andrew Fortune, Director of Policy & Government Relations
AGENDA ITEM: Proclamation: May 29 is Memorial Day, a day to honor and remember all who have died while serving our country.
RECOMMENDED ACTION: Proclamations and Special Recognition

ITEM SUMMARY

Proclamation: May 29 is Memorial Day, a day to honor and remember all who have died while serving our country. **Presented**



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: City Secretary
DIRECTOR: Lisa Henderson, City Secretary
AGENDA ITEM: Approval of Minutes
RECOMMENDED ACTION: Approval of Minutes

ITEM SUMMARY

May 8, 2023 Joint Special Called Meeting
 May 8, 2023
 May 16, 2023 Special Called Session

Approved

ATTACHMENTS:

Description	Upload Date	Type
5/8/23 Joint Special Called Meeting	5/11/2023	Minutes
5/8/23 Preliminary Open Meeting Minutes	5/11/2023	Minutes
5/8/23 Regular Session Minutes	5/11/2023	Minutes
May 16, 2023 Special Called Session (Canvass)	5/17/2023	Minutes

**PLANO CITY COUNCIL and
PLANNING & ZONING COMMISSION
JOINT SPECIAL CALLED MEETING
May 8, 2023**

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
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary
Andrew Fortune, Director of Policy and
Government Relations

**PLANNING & ZONING COMMISSION
MEMBERS PRESENT**

David Downs, Chair
Gary Cary, 1st Vice Chair – arrived at 4:10 p.m.
Bennett Ratliff, 2nd Vice Chair
Mike Bronsky
Tosan Olley – arrived at 5:53 p.m.
Tianle Tong
J. Michael Brounoff
Bill Lisle

PLANNING STAFF PRESENT

Michelle D’Andrea, Deputy City Attorney
Christina Day, Director of Planning
Christina Sebastian, Land Records Planning
Manager
Melissa Kleineck, Lead Planner-Development
Services

Mayor Muns requested a moment of silence and thanked first responders for the recent event in Allen. Mayor Muns and Chair Downs called the Joint Special Called Meeting to order on Monday, May 8, 2023, at 4:03 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue, Plano, Texas and via videoconference. Quorums of the City Council and Planning & Zoning Commission were present. Mayor Muns then stated the Council and Planning & Zoning Commission would retire into Executive Session in Training Room A, in compliance with Chapter 551, Government Code, Vernon’s Texas Codes Annotated in order to consult with an attorney to receive Legal Advice, Section 551.071; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Muns and Chair Downs reconvened the meeting back into the Joint Special Called Meeting at 5:35 p.m.

Open Session

- I. Discussion and action on regulatory changes to housing standards
 - a) **Presentation and discussion on changes to address Short-Term Rental uses.**

b) **Public Hearing on regulatory changes relating to amending Chapter 6 of the Code of Ordinances and Zoning Case 2023-004, as further described below.**

Mayor Muns opened the public hearing. Bill France, Lynn McClimon, Suzanne Pappas, Catherine Parker, Stephen Kyriakos, Bill Baker, Marla Kyriakos, Mark Pulliam, Barbara France, Cindy Patillo, and Greg Patillo spoke in support of the interim ban and registration process. Corey Reinaker expressed concerns about the registration process for short-term rental hosts. Mayor Muns closed the public hearing. In addition to the speakers, two individuals registered an opinion of support and two individuals in opposition.

The City Council and Planning & Zoning Commission recessed at 6:18 p.m. The City Council reconvened at 6:20 p.m.

c) **City Council Consideration of an Ordinance** of the City of Plano, Texas amending Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Article XXIV, Registration of Short-term Rental Properties; providing for procedures for the registration and self-inspections of short-term rentals for operation; providing for procedures for approval, denial, and revocation of registration of short-term rentals; and providing a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.

The City Council recessed into Executive Session at 6:42 p.m. and reconvened into open session at 7:09 p.m.

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Williams, the Council voted 2-6, with Mayor Muns, Mayor Pro Tem Prince, Deputy Mayor Pro Tem Tu, and Council Members Ricciardelli, Holmer and Smith in opposition, to amend Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Article XXIV, Registration of Short-term Rental Properties; providing for procedures for the registration and self-inspections of short-term rentals for operation; providing for procedures for approval, denial, and revocation of registration of short-term rentals. Motion failed.

MOTION: Upon a motion made by Council Member Smith and seconded by Council Member Ricciardelli, the Council voted 6-2, with Council Members Grady and Williams in opposition, to table the item to the June 26, 2023, Regular Council meeting.

The City Council recessed at 7:10 p.m. The Planning & Zoning Commission reconvened into open session at 7:15 p.m.

- d) **Planning & Zoning Commission Consideration of Zoning Case 2023-004** - Request to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance relating to an interim ban on short-term rentals. Project #2023-004. Petitioner: City of Plano

MOTION: Upon a motion made by 2nd Vice Chair Ratliff and seconded by Commissioner Brounoff, the Planning & Zoning Commission voted 4-4, with 1st Vice Chair Cary and Commissioners Bronsky, Tong, and Lisle in opposition, to table the item to the June 26, 2023 meeting. Motion failed.

MOTION: Upon a motion made by Commissioner Bronsky and seconded by 1st Vice Chair Cary, the Planning & Zoning Commission voted 4-4, with Chair Downs, 2nd Vice Chair Ratliff and Commissioners Olley and Brounoff in opposition, to recommend approval to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance relating to an interim ban on short-term rentals. Motion failed.

The Planning & Zoning Commission recessed at 8:03 p.m. and reconvened at 8:08 p.m.

- e) **Planning & Zoning Commission Presentation of Final Report for Zoning Case 2023-004 to City Council.**

Chair Downs stated after two failed votes, the Planning & Zoning Commission took no action and the item moved to City Council for consideration.

The Planning & Zoning Commission recessed at 8:09 p.m. The City Council reconvened at 8:10 p.m.

- f) **City Council Consideration of an Ordinance as requested in Zoning Case 2023-004** to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, relating to an interim ban on short-term rentals; and providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.

Council Member Williams made an amending motion to strike the automatic expiration date. Motion died for lack of second.

City Council Consideration of an Ordinance as requested in Zoning Case 2023-004 (Cont'd.)

MOTION: Upon a motion made by Council Member Smith and seconded by Council Member Ricciardelli, the Council voted 7-1, with Mayor Pro Tem Prince in opposition, to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, relating to an interim ban on short-term rentals; as requested in Zoning Case 2023-004; and further to adopt Ordinance No. 2023-5-1.

The Planning & Zoning Commission reconvened at 8:18 p.m.

Nothing further was discussed. The joint special called meeting adjourned at 8:19 p.m.

John B. Muns, MAYOR

**David Downs, CHAIR
Planning & Zoning Commission**

ATTEST:

Lisa C. Henderson, CITY SECRETARY

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
May 8, 2023**

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
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor Muns called the meeting to order at 8:26 p.m., Monday, May 8, 2023, in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue and via videoconference. A quorum was present. The City Council did not convene into Executive Session.

- **Consideration and action resulting from Executive Session discussion** (not considered)
- **Discussion and direction re: American Rescue Plan/Coronavirus Local Fiscal Recovery Funds** - The Council expressed concurrence to move forward with applying the funds to Public Safety salaries, as requested.
- **Consent and Regular Agendas**
- **Council items for discussion/action on future agendas** – Report regarding upcoming changes to Highway 75 (Grady).

With no further discussion, the Preliminary Open Meeting was adjourned at 8:28 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
May 8, 2023**

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
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor Muns convened the Council into the Regular Session on Monday, May 8, 2023, at 8:29 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 Pro Tem Prince led the invocation and Council Member Grady led the Pledge of Allegiance and Texas Pledge.

Comments of Public Interest

Alex Stein addressed the Council.
Council Member Holmer spoke to Fentanyl Awareness Day.

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:

Approval of Minutes

April 24, 2023
(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. 2023-0280-ER for the initial term of \$2,734,393 or two (2) years, whichever occurs first, with two (2) City optional renewals for Arterial Concrete Repair Requirements Contract - 2023, Project No. 7658 (PW-S-00001), for the Public Works Department to Austin Raymond Construction LLC, dba Texas Civil Construction, in the amount of \$2,734,393 for each term; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Purchase from an Existing Contract

To approve the purchase of Palo Alto firewall licenses for a one (1) year contract with two (2) one-year automatic renewals from Solid Border, Inc. for Technology Solutions in the total estimated amount of \$530,329 through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-CPO-4850) (Consent Agenda Item “C”)

Approval of Contract Modification

To approve an increase to the current awarded contract amount of \$2,740,115 by \$360,000, for a total contract amount of \$3,100,115, for the upgrade of support to the Gold level support plan for Masterworks system from Aurigo Software Technologies, Inc. for Technology Solutions; and authorizing the City Manager to execute all necessary documents. (Contract No. 2020-0592-BR; Modification No. 1) (Consent Agenda Item “D”)

Adoption of Resolutions

Resolution No. 2023-5-2(R): To approve Amendment No. 1 to the contract with the Texas Commission on State Emergency Communications in an amount not to exceed \$1,136,500.00 for a total contract amount not to exceed \$2,121,341.74 from the Coronavirus State and Local Fiscal Recovery Funds (“CSFRF”) in the Next Generation 9-1-1 Fund (“NG9-1-1 Fund”) for the deployment and reliable operation of Next Generation 9-1-1 Service, including equipment and administration costs; designating the City Manager as the authorized representative of the City for the purpose of executing the contract consistent with this resolution, acting in connection with said contract, and providing required information; authorizing the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item “E”)

Adoption of Ordinances

Ordinance No. 2023-5-3: To authorize the City Secretary to terminate the campaign treasurer appointments of inactive candidates and inactive political committees; providing a severability clause, a savings clause, a repealer clause, a publication clause and an effective date. (Consent Agenda Item “F”)

Ordinance No. 2023-5-4: To amend Section 12-73.1(d), Same – Specific zones, of Article IV, Speed, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to enact school zones for summer school sessions 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 “G”)

End of Consent

RFB No. 2023-0164-B for Hoblitzelle Park Trail Extension at Hedgcoxe Road - Phase 2, Project No. 6039.3, for the Parks and Recreation Department to North Rock Construction LLC in the amount of \$988,777; and authorizing the City Manager to execute all necessary documents. (Regular Agenda Item “1”)

MOTION: Upon a motion made by Council Member Grady and seconded by Deputy Mayor Pro Tem Tu, the Council voted 8-0, to approve RFB No. 2023-0164-B for Hoblitzelle Park Trail Extension at Hedgcoxe Road - Phase 2, Project No. 6039.3, for the Parks and Recreation Department to North Rock Construction LLC in the amount of \$988,777; and authorizing the City Manager to execute all necessary documents.

Council Member Grady was presented a street sign in recognition of his eight years of service on the City Council.

With no further discussion, the Regular City Council Meeting adjourned at 8:44 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
SPECIAL CALLED SESSION
May 16, 2023**

COUNCIL MEMBERS PRESENT

John B. Muns, Mayor
Maria Tu, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Grady
Shelby Williams
Julie Holmer
Rick Smith

COUNCIL MEMBER ABSENT

Kayci Prince, Mayor Pro Tem

COUNCIL MEMBER ELECT PRESENT

Rick Horne

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

Mayor Muns called the meeting to order at 6:00 p.m., Tuesday, May 16, 2023, in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

- **Resolution No. 2023-5-5(R): To canvass the election returns of the General Election of May 6, 2023, for the election of four members of Council [Places 1, 3, 5 and 7] for a term of four years; declaring the results; and resolving other matters on the subject.**

Upon a motion made by Council Member Grady and seconded by Council Member Smith, the Council voted 7-0 to declare the election returns of the General Election as canvassed and all votes accounted for as certified by the Elections Administrators of Collin and Denton Counties, with a total of 20,327 ballots cast and further made a motion to adopt a resolution to approve the canvass of the election returns of the General Election of May 6, 2023, for the election of four members of Council [Places 1, 3, 5 and 7] for a term of four years; declaring Maria Tu was elected to Place 1, Rick Horne was elected to Place 3, Shelby Williams was elected to Place 5, and Julie Holmer was elected to Place 7; and resolving other matters on the subject; and further to adopt Resolution No. 2023-5-5(R).

- **Oath of Office for Incoming Council Members – Maria Tu, Rick Horne, Shelby Williams and Julie Holmer**
- **Remarks from Outgoing Council Members – Rick Grady**

With no further discussion, the Special Called Session was adjourned at 6:33 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023

DEPARTMENT: Public Works

DIRECTOR: Dan Prendergast, P.E. Director of Public Works

AGENDA ITEM: Approve RFB No. 2023-0281-ER in the amount of \$1,742,220 for joint and crack sealing for the Sealing Requirements Contract - 2022

RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2023-0281-ER for the initial term of \$1,742,220 or two (2) years, whichever occurs first, with two (2) City optional renewals for Sealing Requirements Contract - 2022, Project No. 7430, for Public Works Department to Talbran Enterprises LLC in the amount of \$1,742,220 for each term; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

Public Works Department recommends the bid for the Sealing Requirements Contract - 2022 project be awarded to Talbran Enterprises LLC, in the amount of \$1,742,220, to be accepted as the lowest responsible bid for the project conditioned upon timely execution of all necessary documents.

This project involves cleaning and sealing 586,150 linear feet of redwood expansion joints, construction joints and cracks, on major arterials at various locations throughout the City of Plano. Replacing failed seals on pavement is one of the most cost effective ways to extend the life of a street. The sealant fills expansion joints and cracks to prohibit the intrusion of water into the subgrade which weakens the soil beneath the pavement by causing soil expansion, contraction, and undermining.

Public Works does not currently have the staffing and specialized equipment for both the routing and sealing of joints and the specialized traffic control needed for rolling closures related to this type of work on major thoroughfares as set forth in the Texas Manual of Uniform Traffic Control Devices. In addition, the Gerald P. Cosgrove Operations Center does not have sufficient space for additional storage of equipment and additional space for staff needed to perform the work in house. However, the feasibility to bring this work in house will be evaluated with upcoming Public Works Facility Masterplan Project.

If this project is not awarded at Council, these locations will not be sealed, which will result in elevated maintenance and replacement costs in the future. Additionally, planned overlay projects will be delayed.

Engineer's estimate for this project is \$2,040,000.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2022-23 Street Improvements CIP and is planned for future years, as well. Award of the Sealing Requirements Contract - 2022 has an initial term of two (2) years or \$1,742,220 and two (2) City optional renewals for a total \$5,226,660 if all renewal options are exercised.

Approval of this item will support the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Bid Recap	5/12/2023	Bid Recap

CITY OF PLANO

Bid No. 2023-0281-ER Sealing Requirements Contract-2022 Project No. 7430 Bid Recap

Bid opening Date/Time: Thursday, April 20, 2023 @ 2:00 PM

Number of Vendors Notified: 1313

Vendors Submitting “No Bids”: 9

Number of Bids Submitted: 2

Talbran Enterprises LLC	\$1,742,220.00
Select Maintenance LLC	\$1,999,450.00

Recommended Vendor(s):

Talbran Enterprises LLC	\$1,742,220.00
-------------------------	----------------

Teresa Cox

Teresa Cox, Purchasing Agent

4/20/2023

Date



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Neighborhood Services
DIRECTOR: Lori Schwarz, Director of Neighborhood Services
AGENDA ITEM: Award of RFP for Strategic Housing Plan and Related Policies
RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFP No. 2023-0201-B for a contract for Strategic Housing Plan and Related Policies for Neighborhood Services Department to RKG Associates, Inc. in the estimated amount of \$134,270; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

When the City of Plano's Comprehensive Plan was updated in November 2021, the Neighborhood Conservation Policy NC2 was modified to include an action to "review and update the Housing Value and Retention Analysis study to compare and coordinate with the Comprehensive Plan." Additionally, Neighborhood Conservation Policy NC4 was modified to "Develop a plan to address housing gaps identified in the Consolidated Plan and review the recommended policy options outlined in the Housing Trends Analysis and Strategic Plan to compare and coordinate with the Comprehensive Plan." This project will address these Comprehensive Plan actions by:

- Utilizing updated market data, develop a strategic housing plan with associated policies, which meets the housing needs of the City of Plano and aligns with the adopted plans of the City, including the Consolidated Plan and *The Comprehensive Plan 2021*.
- Provide an assessment of the changes in the City's housing market trends since the completion of the Housing Trends Analysis.
- Establish goals to reach the City's housing objectives within the context of adopted City plans and studies
- Develop short, mid, and long-term policies and strategies
- Identify and analyze detailed funding opportunities available to the City, which allow for implementation of the Plano's Housing Strategy.
- Conduct public engagement activities including residents representing all aspects of economic need, diverse populations, business sector, staff, and any other identified stakeholders.
- Present findings and final draft of Strategic Housing Plan to City Council.

The Neighborhood Services Department collaborated with the Procurement Division of the Finance Department to develop a Request for Proposals (RFP) for consultant services. The City received two (2) responsive proposals that were evaluated by a four (4) member evaluation committee. The evaluation committee then conducted an interview with the highest ranked proposer.

At the conclusion of the interview, the evaluation committee deliberated. The evaluation committee recommends award to RKG Associates, Inc. in the estimated amount of \$134,270.

Failure to award this contract may delay development of the City's Strategic Housing Plan, which is a Comprehensive Plan goal to assist with decision-making for housing activities.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2022-23 Neighborhood Services Budget. This request is for a Strategic Housing Plan and Policies scope, in which the amount will not exceed \$134,270.

Approval of this agenda item supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
RFP Recap	5/16/2023	RFP Recap

City of Plano
RFP No. 2023-0201-B
Strategic Housing Plan and Related Policies
RFP Recap

Opening Date/Time: March 20, 2023 at 1:00 PM
Number of Vendors Notified: 1,045
Vendors Submitting "No Bids": 2
Number of Responsive Submissions: 2
Number of Non-Responsive Submissions: 0

The following Evaluation Criteria was used in determining the best value award recommendation.

CRITERIA	WEIGHT
Qualifications	35% (1.75 points)
Project Approach and Scope of Services	25% (1.25 points)
Experience on Similar Projects	15% (0.75 points)
Cost	25% (1.25 points)
Total	100% (5 point max)

Vendor	Score - Max of 5	Rank	Total Cost
RKG Associates, Inc.	4.54	1	\$ 134,270.00
Amarach Planning Services, LLC	2.86	2	\$ 139,400.00



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Parks
DIRECTOR: Ron Smith, Director of Parks and Recreation
AGENDA ITEM: 2023-0053-AC Printing and Mailing Services for Recreation Catalog
RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2023-0053-AC for a one (1) year contract with three (3) City optional one-year renewals for Printing and Mailing Services for Recreation Catalog to DFW Printing Services LLC in the estimated annual amount of \$104,500; and authorizing the City Manager to execute all necessary documents.

Approved

BACKGROUND

After reviewing and evaluating all bids, it is the Department’s recommendation that the bid be awarded to the lowest bidder, DFW Printing Services LLC, in the estimated amount of \$104,500 with three annual renewal options.

Three times each year (winter/spring, summer, and fall), the Department prints and distributes approximately 50,000 copies of its recreation catalog. Depending on content, the catalog size can range from 72-88 pages plus cover pages. Based on participant feedback, the printed catalog is the preferred source of recreational program information for the majority of Plano residents and is the main driver for program registration. The cost of the catalog is paid out of the Recreation Revolving Fund, which is generated by class registrations.

The Parks & Recreation Business Division designs and publishes the catalog internally; however, the printing of the catalog requires outsourcing to a vendor equipped to handle print jobs of this magnitude (50,000 per season).

If the City does not award this bid, the Recreation Catalog would not be printed and distributed to 50,000 citizens; the number of residents learning about the Department’s programs would be commensurately reduced which would lead to a loss in program registrations and revenue, as well as many missed opportunities for citizens to participate in wholesome recreational activities offered by the Department.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item has funding in the 2022-23 Recreation Revolving Fund and is planned for future years as well. The contract with DFW Printing Services LLC allows for four (4) size/format versions for each run, depending on content and size and three (3) optional one-year renewals for an estimated total of \$418,000. All future year expenditures will occur within Council approved appropriations.

Approval of this item supports the City's Strategic Plan Critical Success Factor of Welcoming and Engaged Community.

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

CITY OF PLANO

BID No. 2023-0053-AC

Printing and Mailing Services for Recreation Catalog

BID Recap

Bid Opening Date/Time: February 20, 2023 @ 1:00 pm (CST)

Number of Vendors Notified: 747

Vendors Submitting "No Bids": 7

Number of Vendors Non-Responsive: 0

Number of Bids Submitted: 4

Vendor Name	Total
DFW Printing Services LLC	\$ 104,500.00
RPM Design + Production (Roth Print Management Co.)	\$ 104,600.00
AC Printing LLC	\$ 157,700.00
Finishing & Mailing Center LLC	\$ 219,550.00

Recommended Vendor(s):

DFW Printing Services LLC	\$ 104,500.00
---------------------------	---------------

Antonio Meza

Antonio Meza, Buyer II

May 10, 2023

Date



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Parks
DIRECTOR: Ron Smith, Director of Parks and Recreation
AGENDA ITEM: Award of Bid No. 2023-0210-AC in the amount of \$125,000 for Median and Right-of-Way Mowing, Group B.
RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2023-0210-AC for a one (1) year contract with five (5) automatic one-year renewals for Median and Right-of-Way Mowing, Group B, for Parks and Recreation Department to GreenList Services LLC in the estimated annual amount of \$125,000; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

This contract is for routine median and right-of-way mowing, routine tree maintenance, litter collection, and annual mulch maintenance at various locations throughout the city along multiple high traffic thoroughfares. The locations have been mapped and labeled Group B. Group B is comprised of 8 locations totaling 113.97 acres and includes: Communications Pkwy, Legacy Dr, Parker Rd, Parkwood Blvd, Plano Pkwy, Preston Meadow Dr, Tennyson Pkwy/Archgate Dr, and Windhaven Pkwy.

This evaluation was completed using the competitive sealed bid process. The City received six bids.

It is the recommendation of Plano Parks and Recreation to award 2023-0210-AC, Group B - Median and Right-of-way Mowing to GreenList Services LLC, the lowest, responsive, and responsible bidder. The estimated annual expenditure is \$125,000.

The initial contract term for Group B is one-year with five one-year automatic renewals for a potential of a six (6) year contract. If all renewals are exercised, the total expenditure will be \$750,000.

The department strives to maintain an appropriate balance between in-house and contracted maintenance. The utilization of contract services for the proposed work is an estimated savings of \$133,000 annual, when compared to providing the same services in-house, over the life of the contract. In addition, the City's liability risk associate with providing maintenance along high-traffic roadways is reduced.

Failure to award this contract would result in numerous medians and rights of way becoming non-compliant with City of Plano municipal codes and ordinances for weeds, rubbish, and traffic visibility. This could lead to increased traffic hazards.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item approves price quotes. Funding for this item is available in the 2022-23 Park Median

Maintenance Budget. This request is for a one-year contract with five (5) one-year automatic renewals for Group B Median and Right-of-Way Mowing and Landscape Maintenance, in the estimated amount of \$83,800, which will leave a remaining balance of \$76,049 for other contractual expenditures. Future year expenditures are dependent on contract renewals in the annual estimated amount of \$125,000 in the 2023-24 through 2027-28 Budgets and \$41,200 in the 2028-29 Budget. All future year expenditures will occur within council approved appropriations.

Approval of this contract supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Bid Recap	5/7/2023	Bid Recap

CITY OF PLANO

Bid No. 2023-0210-AC RFB for Median and Right-of-Way Mowing, Group B Bid Recap

Bid opening Date/Time: Thursday, April 6, 2023 @ 2:00 PM

Number of Vendors Notified: 623

Vendors Submitting “No Bids”: 0

Number of Vendors Non-Responsive: 1

Number of Bids Submitted: 7

GreenList Services LLC	\$125,000.00
Nico’s Landscape	\$139,030.20
Carruther’s Landscape Management, Inc.	\$155,440.00
Texas Seasons (Zodega Landscape Services, LLC)	\$218,748.02
Yellowstone Landscape	\$267,200.04
BrightView Landscape Services, Inc.	\$316,394.76

Recommended Vendor(s):

GreenList Services LLC	\$125,000.00
------------------------	--------------

Melissa Delmont

Melissa Delmont, Buyer I

4/11/2023

Date



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Parks
DIRECTOR: Ron Smith, Director of Parks and Recreation
AGENDA ITEM: Award of bid in the amount of \$3,233,380 for Plano Event Center Courtyard Redevelopment, Project No. 7144.1.
RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2023-0136-B for Plano Event Center Courtyard Redevelopment, Project No. 7144.1, for the Parks and Recreation Department to The Fain Group, Inc. in the amount of \$3,233,380; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

The Parks and Recreation Department opened bids on March 16, 2023 for the Plano Event Center Courtyard Redevelopment, Project No. 7144.1. The project is a complete renovation of the outdoor courtyard space including hardscape paving, site lighting, site furniture, shade structures, fireplace, audio/visual equipment and connections, utility adjustments, new fencing and entry gates, landscape planting beds, tree plantings, and reconfiguration of the irrigation system. The renovation project will significantly expand upon programmable and rentable outdoor space for events at the Plano Event Center.

The lowest responsive and responsible bid was submitted by The Fain Group, Inc., in the amount of \$3,233,380. There was a total of one thousand three hundred thirty-seven (1,337) vendors notified of this project. Three (3) complete bids were received for the project as shown in the attached bid recap.

The benefit of this project is the addition of improved business opportunities in a beautifully renovated outdoor space for events and other gatherings. The renovation will provide extensive shaded areas and expanded hardscape to accommodate receptions, break-out sessions, impromptu meetings, weddings, live entertainment, special occasions, and more.

Failure to approve this item will result in continued underutilization of the outdoor courtyard space and an inability to support larger events.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2022-23 Capital Maintenance Fund and is planned for future years, as well. Construction services for the Plano Event Center Outdoor Courtyard Redevelopment project, in the total estimated amount of \$3,233,380, will leave a current year balance of \$34,254 for future project expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

Bid Recap
Location Map

4/14/2023
4/19/2023

Bid Recap
Map

CITY OF PLANO

RFB CIP

Bid No. 2023-0136-B

Plano Event Center Courtyard Redevelopment

Project No. 7144.1

Bid Recap

Bid Opening Date/Time: Thursday, March 16, 2023 at 02:00 PM

Number of Vendors Notified: 1,337

Vendors Submitting “No Bids”: 3

Number of Non-Responsive Bids Submitted: 0

Number of Responsive Bids Submitted: 3

<u>Vendor:</u>	<u>Total Bid</u>
The Fain Group, Inc.	\$3,233,380.00
J.B. & Co. LLC (Joel Brown & Co. LLC)	\$3,238,578.00
North Rock Construction LLC	\$3,409,455.52

Recommended Vendor

The Fain Group, Inc. \$3,233,380.00

Max Watanga

Max Watanga , Contract Administrator

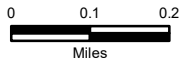
3/16/2023

Date



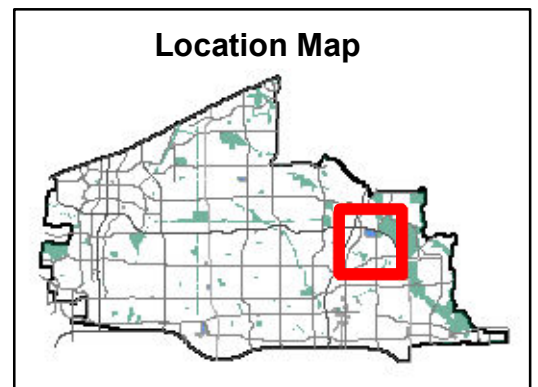
Legend

Plano Event Center



Plano Event Center Courtyard Redevelopment

Project No. 7144.1





CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023

DEPARTMENT: Engineering-CIP

DIRECTOR: B. Caleb Thornhill, P.E., Director of Engineering

AGENDA ITEM: Award of bid in the amount of \$2,927,499 for Intersection Improvements - Parker Road Corridor at Coit Road and Alma Drive, Project No. 5926.1.

RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2023-0263-B for Intersection Improvements - Parker Road Corridor at Coit Road and Alma Drive, Project No. 5926.1, for the Engineering Department to Jim Bowman Construction Company, L.P. in the amount of \$2,927,499; and authorizing the City Manager to execute all necessary documents.

Approved

BACKGROUND

The Engineering Department opened bids on April 20, 2023 for the Intersection Improvements - Parker Road Corridor at Coit Road & Alma Drive project. The project includes improvements of two (2) intersections along the Parker Road corridor in the City of Plano. The work will include widening, or adding, street pavement, pedestrian ramps and facilities, utility adjustments to accommodate the additional pavement, traffic signal modifications, and pavement markings. A summary of the proposed improvements at the two (2) intersections are as follows:

1. Parker Road @ Coit Road – Add EB double left turn by shifting main lanes on Parker Road. Add WB double left turn by shifting main lanes on Parker Road.
2. Parker Road @ Alma Drive – Add SB dedicated right turn lane on Alma Road. Add WB dedicated right turn lane on Parker Road.

The lowest responsive and responsible bid was submitted by Jim Bowman Construction Company, L.P., in the amount of \$2,927,499. There were a total of 1,736 vendors notified of this project. Three (3) complete bids were received for the project as shown in the attached bid recap.

If this project is not awarded, the result would be continued vehicular congestion, inadequate and unsafe pedestrian ramps and crossings, resulting in a decrease in quality of life for citizens and motorists.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2022-23 Street Improvements CIP and is planned for future years, as well. Construction services for the Parker Road Corridor project, in the total estimated amount of \$2,927,499, will leave a current year balance of \$14,751 for future project expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

Bid Recap
Location Map

5/3/2023
5/3/2023

Bid Recap
Map

CITY OF PLANO

RFB CIP

Bid No. 2023-0263-B

Intersection Improvements Parker Road Corridor at Coit Road and

Alma Drive

Project No. 5926.1

Bid Recap

<u>Bid Opening Date/Time:</u>	Thursday, April 20, 2023 @ 2:00 PM
<u>Number of Vendors Notified:</u>	1,736
<u>Vendors Submitting "No Bids":</u>	8
<u>Number of Non-Responsive Bids Submitted:</u>	0
<u>Number of Responsive Bids Submitted:</u>	3

<u>Vendor:</u>	<u>Total Bid:</u>
Jim Bowman Construction Company, L.P.	\$ 2,927,499.25
XIT Paving and Construction, Inc.	\$ 3,712,077.00
Rebcon, LLC	\$ 4,722,259.00

Recommended Vendor:

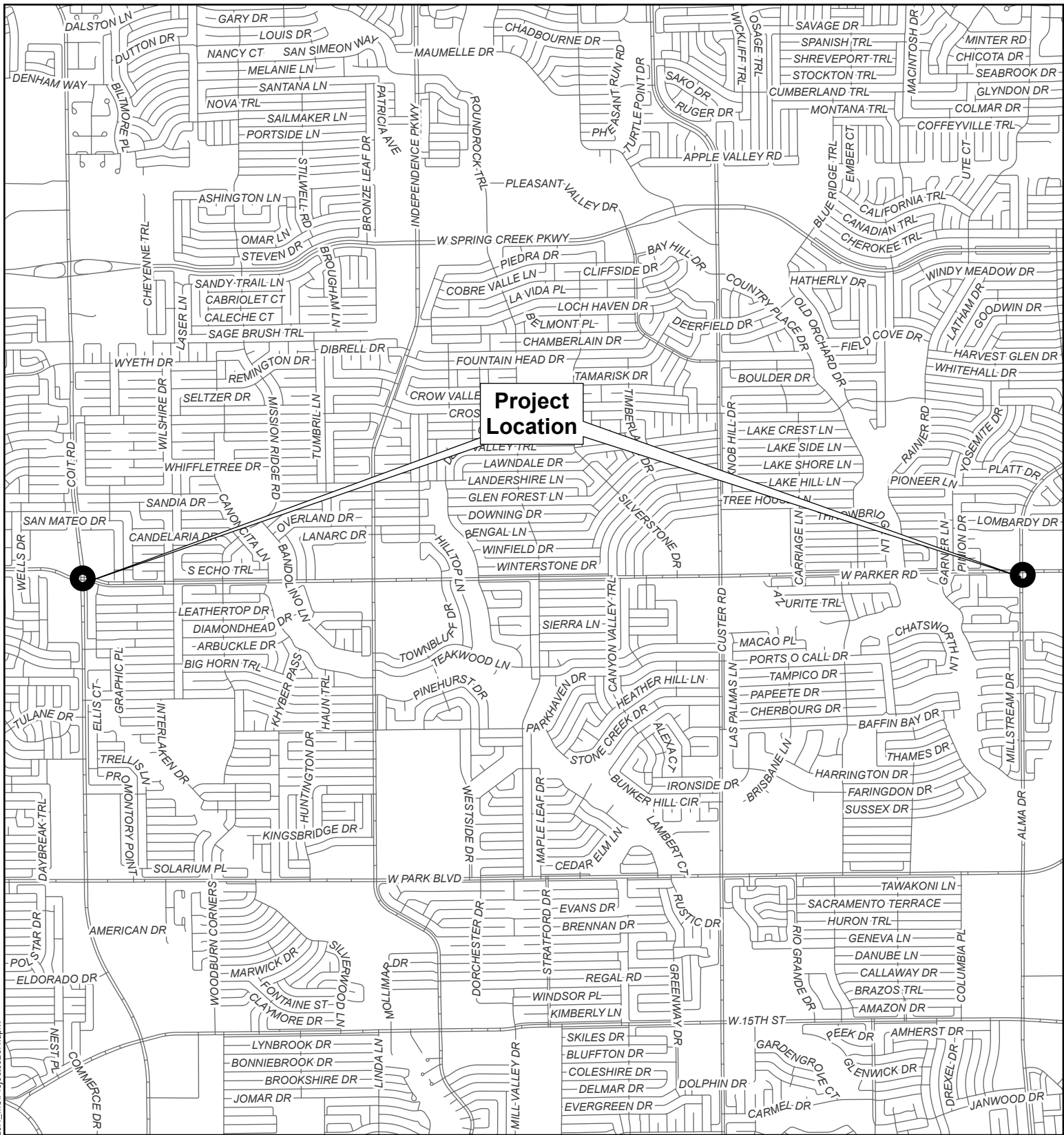
Jim Bowman Construction Company, L.P.	\$ 2,927,499.25
---------------------------------------	-----------------

Stephanie Shaffer

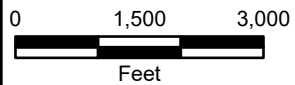
Stephanie Shaffer, Contract Administrator

5/3/2023

Date

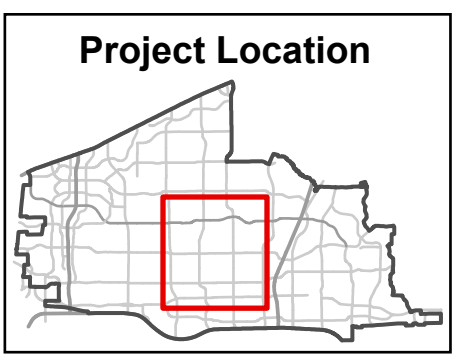


Project Location



**Intersection Improvements
Parker Road Corridor at Coit Road
and Alma Drive**

Project No. 5926.1



Project Location

mshaw.Z:\BI-GIS\Projects\Engineering\2023\2023-04-24_Project5926.1.aprx

CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Fire
DIRECTOR: Chris Biggerstaff, Fire Chief
AGENDA ITEM: The purchase of hazmat detection equipment.
RECOMMENDED ACTION: Purchase from Existing Contract

ITEM SUMMARY

To approve the purchase of hazmat detection equipment for Fire-Rescue in the amount of \$131,348 from FarrWest Environmental Supply Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. EP11-20) **Approved**

BACKGROUND

Award the purchase of one (1) identiFINDER R700 \$34,555, three (3) Thermo RadEye PRD-ER and Chargers \$16,301, one (1) Rigaku ResQ CQL and Accessories \$54,272, and one (1) identiFINDER R440 Gamma/ Neutron Version \$26,220. The UASI grant total award is \$130,000. The quote for items to purchase is \$131,348. The remaining \$1,348 will come from the Spec Ops HazMat equipment budget.

Highly Sensitive, Lightweight Backpack Radiation Detector (BRD). The identiFINDER R700 Backpack Radiation Detector offers new spectroscopic broad-search capabilities. Once dismantled, the identiFINDER R700 provides the capabilities required to successfully perform wide-area searches quickly and efficiently while offering exceptional sensitivity, communication, and trusted spectroscopic algorithms in a lightweight, ergonomic form-factor. The identiFINDER R700 provides wide radiation detection/ monitoring capabilities for suspected or potential Radiation incidents. In addition, the system can be utilized for real-time monitoring, providing enhanced venue protection at special events.

The RadEye PRD-ER Personal Radiation Detector is an advanced pocket-size instrument that detects and localizes radiation sources generated by man-made devices such as nuclear weapons, improvised nuclear devices (IND) or radiological dispersal devices (RDDs). Single detector arrangement offers the following unique advantages over the whole measuring range. The RadEye PRD Detector is a high sensitivity gamma radiation detection and dose rate measurement tool for security forces and first responders seeking to detect and locate orphaned sources or problematic related public locations.

The Rigaku ResQ CQL is an improved chemical detection system that uses Raman spectroscopy to identify unknown compounds. The unique 1064 nm Raman advantage of the handheld Progeny ResQ CQL provides users with the ability to identify colored substances or through colored packaging while eliminating fluorescence sample interference common to older generation handheld Raman analyzers.

Users can expect reliable results in less than a minute. The ResQ CQL handheld Raman analyzer includes a standard library of over 13,000 Raman-active chemicals – including explosives, chemical warfare agents (CWAs) precursors, hazardous chemicals, narcotics, cutting agents, pesticides, steroids and more, including Fentanyl.

The identiFINDER R440 handheld radionuclide identification device (RID) is an instrument that identifies the radionuclides present in a radioactive source by identifying characteristic gamma ray emission patterns. These devices are used by responders to detect and measure gamma radiation and identify gamma ray emitting radionuclides.

The equipment will be purchased through HGAC, from FarrWest Environmental Supply Inc. Total cost for this purchase is \$131,348. (including accessories).

Failure to award these purchases will impede the Fire Department's individual radiological detection, measuring, chemical detection, and identification capabilities.

The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 271 Subchapter F of the Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (HGAC Contract No. EP11-20 and the City of Plano Contract No. 2023-0034-O)

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2022 UASI Grant and the 2022-23 Fire Department Budget for the purchase of one (1) identiFINDER R700, three (3) Thermo RadEye PRD-ER and Chargers, one (1) Rigaku ResQ CQL and Accessories, and one (1) identiFINDER R440 Gamma/Neutron Version, in the total estimated amount of \$131,348. The UASI Grant program will provide \$130,000 in funding, and the remaining \$1,348 will be funded out of the Fire Department Budget.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Police
DIRECTOR: Ed Drain, Chief of Police
AGENDA ITEM: Award Recommendation for the Procurement of Motorola Deployable License Plate Reader Cameras
RECOMMENDED ACTION: Purchase from Existing Contract

ITEM SUMMARY

To approve the purchase of forty (40) L5Q and ten (10) L6Q Motorola Deployable License Plate Reader Cameras with a five (5) year service subscription for the Police Department from Motorola Solutions Inc. in the amount of \$100,000 annually, for a total in the amount of \$500,000, through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-TSO-4101)

Approved

BACKGROUND

Since 2009, the Plano Police Department has employed license plate recognition (LPR) systems, which utilize optical character recognition algorithms to essentially “read” the alphanumeric characters on vehicle registration plates. These results are then compared against one or more lists containing known registrations that are of interest to public safety agencies, such as those related to statewide alerts (e.g., Amber, Silver, Blue, CLEAR, etc.), stolen vehicles, outstanding arrest warrants, registered sex offenders, and suspected criminal activity. If a match occurs, real-time notifications are provided to first responders and support personnel who must then work quickly to confirm the information received so the appropriate action(s) may be taken. Since the inception of this program until just recently, we had relied exclusively upon vehicle-mounted systems, resulting in the recovery of many stolen vehicles and the apprehension of multiple criminal offenders. While these mobile systems have certainly proven themselves as beneficial, they do have limitations. For example, data captures are limited to those places where large first responder vehicles are driven. The identified vehicle is also often traveling in a different direction, which can make apprehension difficult. Additionally, the location of detection may be of minimal use in criminal investigations when both vehicles were in motion in transit to other destinations at the time of data capture.

Many law enforcement agencies have installed fixed LPR systems, which remain in place at roadway intersections and other locations where vehicles of interest are expected to frequently travel. Much success has been attributed to these deployments, especially in the recovery of stolen vehicles. They can also provide valuable investigative data, such as the identification of routes commonly used by vehicles involved in criminal activity. While these systems are unquestionably valuable tools for use by law enforcement agencies, they can also be very expensive to purchase, install, and maintain. As an alternative to the vehicle-mounted and fixed models, there are also various portable systems available. These are typically battery powered devices that are equipped with high resolution cameras and cellular modems. They can operate independently to gather registration detections and provide real-time alerts just like the fixed and mobile systems. The primary advantages of this option versus the vehicle-mounted and fixed counterparts include lower cost, smaller footprint, ease of installation, autonomous operation, and rapid deployability. A few months ago, Motorola provided our agency with one of their portable LPR cameras, an L5Q, which is powered by batteries and has a small solar panel for sustained remote operation. This unit was installed

near a public storage facility where a number of trailers had already been stolen. Within just a few hours, two men drove their pickup truck into the location and left with a flatbed trailer that did not belong to them. As soon as they became aware of the theft, detectives accessed the images captured by the portable LPR camera and quickly identified the suspects. This success with the portable LPR camera was followed by many others, with dozens of property crime cases now having been cleared and multiple arrest warrants issued as a result of these deployments. In addition to the L5Q, the police department recently deployed a borrowed L6Q, which is a newer model offered by Motorola. The L6Q can also be deployed in remote locations with no need for external power; however, it uses radar sensors instead of motion detection for activation of the camera. It is therefore a better option for placement along roadways, where vehicles are expected to be traveling at higher rates of speed than in parking lots where the L5Q has been most effective. Based upon the highly positive results obtained using these demonstrative devices, the police department would like to purchase a total quantity of 50 units (40 L5Q and 10 L6Q). The L6Q cameras will likely be installed near traffic intersections and along roadways of concern for real-time alerting, while the L5Q devices will be utilized for standalone deployment at various other hotspots to address community crime trends and/or mounted on portable camera towers as needed to augment their existing capabilities.

Although at least one other provider does offer devices that are similar to the Motorola L5Q and L6Q models, none are believed to be capable of long-term remote deployability due to power concerns, and they have very limited retention of detections, rendering them much less useful for criminal investigations. Also, the detections and comparative lists are managed on a completely different software platform, which makes oversight more difficult for police department investigators and support personnel. The Motorola devices are currently available on Texas DIR Cooperative Contract #TSO-4101, and the total cost with warranty for the 50 cameras is \$100,000 annually.

I strongly recommend we proceed with this procurement. Failure to do so will diminish the Police Department's ability to most effectively fulfill its mission to provide a safe environment for the citizens of Plano.

The City is authorized to purchase from the State Contract list pursuant to Chapter 271 Subchapter D of the Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (DIR Contract No. DIR-TSO-4101 and City of Plano Contract No. 2023-0243-O)

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the FY 2022-23 Police Department Budget. The annual amount to be spent for the purchase and warranty of 40 L5Q and 10 L6Q Motorola Deployable License Plate Reader Cameras is \$100,000 per year of the five (5) year subscription (FY 2022-23 through FY 2027-28). Expenditures will be made in the Police Department within the approved budget appropriations for each year of the subscription.

Approval of this item will support the City's Strategic Plan Critical Success Factors of being an Excellent, Innovative, and Accountable City Government with Safe, Vibrant Neighborhoods.



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Parks
DIRECTOR: Ron Smith, Director of Parks and Recreation
AGENDA ITEM: Fitness Equipment for Carpenter Park, Oak Point and Tom Muehlenbeck Recreation Centers
RECOMMENDED ACTION: Purchase from Existing Contract

ITEM SUMMARY

To approve the purchase of Fitness Equipment for the Carpenter Park, Oak Point and Tom Muehlenbeck Recreation Centers in the estimated amount of \$482,860 from Team Marathon Fitness, Inc. dba Marathon Fitness through existing contracts; and authorizing the City Manager to execute all necessary documents. (Sourcewell Contract No. 081120-PCR and BuyBoard Contract No. 665-22) **Approved**

BACKGROUND

The Recreation Department is in need of replacing pieces of worn out strength and cardio fitness equipment at Carpenter Park, Oak Point and Tom Muehlenbeck Recreation Centers, the City’s busiest recreation centers. Upon evaluating equipment warranties and repair history the Department developed a standard to replace equipment every five years or after 6,000 hours of use. This standard ensures facilities are able to provide patrons quality equipment while avoiding the majority of costly repairs that historically appear after the five years and/or 6,000 hours of use.

The fitness component of the recreation centers drives the majority of recreation membership sales. The citizens of Plano have come to expect a level of service that is reflected in the City’s strategic vision: the provision of outstanding services and facilities, and a place that values and expects excellence. Keeping the City’s recreation facilities equipped with efficient and functioning fitness equipment supports that vision.

The Recreation Department recommends purchasing the Precor equipment from Team Marathon Fitness through Sourcewell Contract No. 081120-PCR and BuyBoard Contract No. 665-22 for a total amount of \$482,860.

The funds for this purchase are available through the Department’s Equipment Replacement Fund, 071-904-6208.

Historically, feedback from recreation members has indicated that fitness equipment brand consistency within each facility as well as across recreation centers is important. Replacing worn out equipment with equipment from a different manufacturer has resulted in complaints from patrons in the past. In addition, consistency among center equipment allows recreation members to work out at multiple centers with ease. To reduce negative feedback and ensure equipment consistency, we recommend the existing equipment be replaced with equipment from the same manufacturer. Our facilities currently offer Precor and Cybex fitness equipment. Team Marathon Fitness is the preferred vendor of Precor equipment on the existing Sourcewell and BuyBoard contracts.

Staff believes that not replacing worn out, outdated or nonworking pieces of equipment, or replacing equipment from a variety of manufacturers, would negatively impact both public perception and membership numbers.

The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 271 Subchapter F of the Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (Sourcewell Contract No. 081120-PCR, BuyBoard Contract No. 665-22, and City of Plano Contract No. 2023-0382-O)

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2022-23 Recreation Equipment Replacement Fund. Approval of this purchase, in the amount of \$482,860, will replace equipment at Carpenter Park, Oak Point and Tom Muehlenbeck Recreation Centers.

Approval of this item supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Cooperative Quote Recap	5/10/2023	Cooperative Quote Recap

CITY OF PLANO
SOLICITATION NO. 2023-0382-O
FITNESS EQUIPMENT FOR THE CARPENTER PARK, OAK POINT, AND TOM
MUEHLENBECK RECREATION CENTERS
COOPERATIVE QUOTE RECAP

Number of Vendors Contacted: 1

Number of "No Bids" Received: 0

Number of Quotes Received: 2

Team Marathon Fitness, Inc. dba Marathon Fitness \$482,860.35
via Sourcewell Contract No. 081120-PCR and BuyBoard Contract No. 665-22

Team Marathon Fitness, Inc. dba Marathon Fitness \$520,196.91
via BuyBoard Contract No. 665-22

Recommended Vendor:

Team Marathon Fitness, Inc. dba Marathon Fitness \$482,860.35
via Sourcewell Contract No. 081120-PCR and BuyBoard Contract No. 665-22

Antonio Meza

Antonio Meza
Buyer II

May 10, 2023

Date



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Special Projects
DIRECTOR: Peter Braster, Director of Special Projects
AGENDA ITEM: Purchase of 708 16th Street and 1509, 1511 & 1513 G Avenue.
RECOMMENDED ACTION: Approval of Expenditure

ITEM SUMMARY

To approve an expenditure in the amount of \$3,300,000 for the purchase of real property located at 708 16th Street from 708 E 16th Street LLC and 1509, 1511 & 1513 G Avenue from the Haggard Living Trust & The Neely Living Trust; and authorizing the City Manager to execute all necessary documents.

Approved

BACKGROUND

The property at 708 16th Street and 1509, 1511 & 1513 G Avenue is adjacent to the Neighborhood Services Building on 15th Street and can serve a number of potential development objectives for Downtown Plano. The ownership of the property has agreed to sell the property for \$3,300,000, which is supported by a third-party appraisal obtained by the City. Additionally, during negotiations City staff committed to incorporate the W.J. Carpenter House into a future development project or relocate the house to another property within Plano.

The City is exempt from the competitive bid process for this purchase as allowed by Texas Local Government Code Chapter 252 Subchapter B Section 252.022(a)(6).

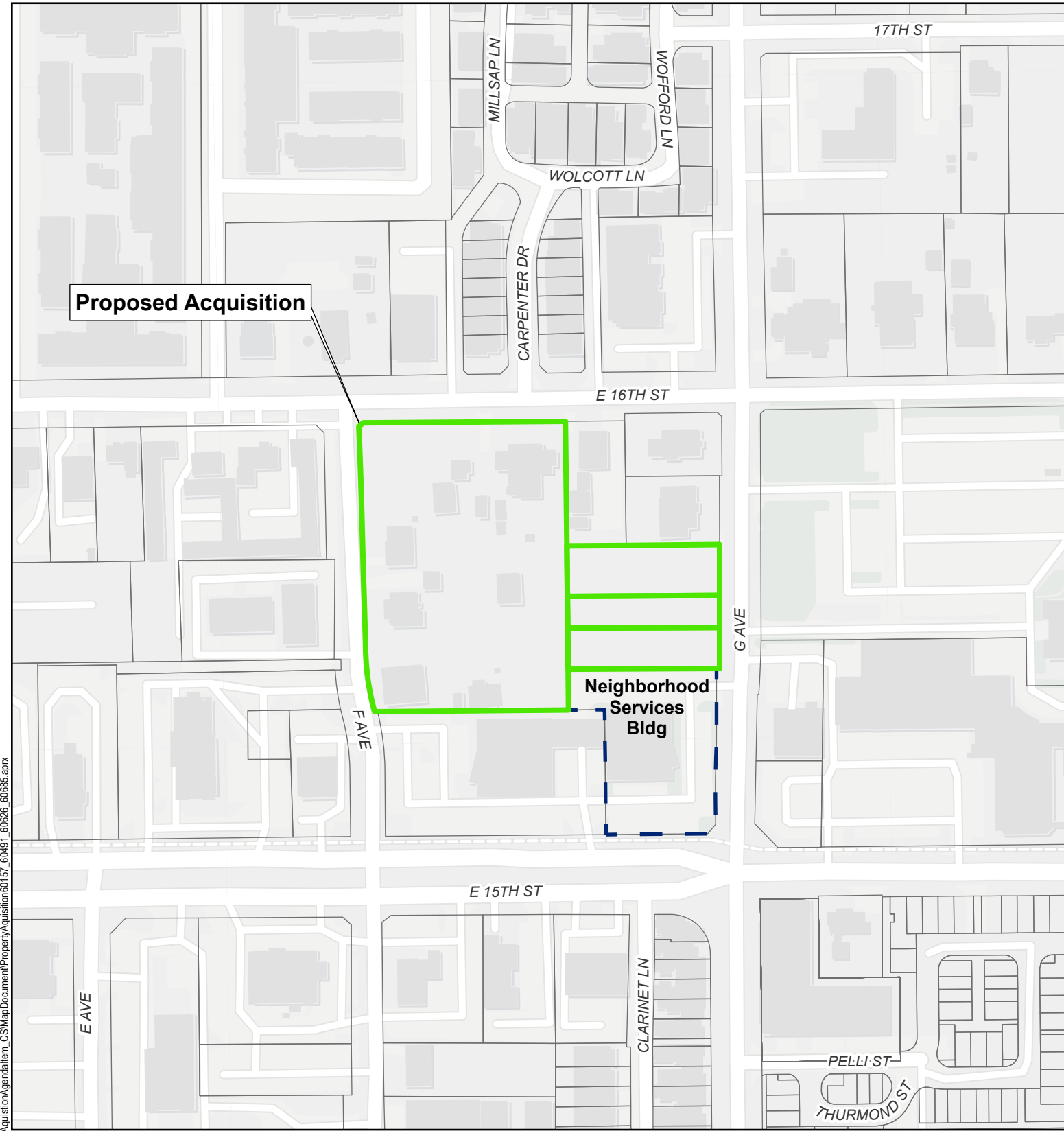
FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2022-23 TIF Fund. Purchase of 2.71 acres at 708 16th Street and adjoining parcels, for a total amount of \$3.3 million, will leave a current balance of \$7,113,093 for future project expenditures. The TIRZ#2 Board of Directors recommended the expenditure of funds during their November 30,2022 meeting.

Approval of this item will support the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

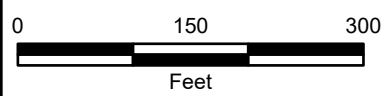
ATTACHMENTS:

Description	Upload Date	Type
Proposed Property Acquisition Map	5/4/2023	Map



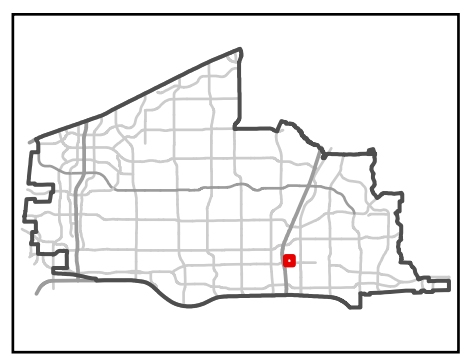
Proposed Acquisition

**Neighborhood
Services
Bldg**



City of Plano BI-GIS Division
May 2023

Property Acquisition
708 16th Street and
1509, 1511 & 1513 G Avenue



d:\scott\Z:\BI-GIS\Projects\CityManager\2023\2023-05-02_PropertyAcquisition\AgendaItem_CSI\MapDocument\PropertyAcquisition60157_60491_60626_60685.aprx



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Environmental Health And Sustainability
DIRECTOR: Rachel Patterson, Director of Environmental Health & Sustainability
AGENDA ITEM: Interlocal Agreement between North Texas Municipal Water District and the City of Plano.
RECOMMENDED ACTION: Approval of Contract / Agreement

ITEM SUMMARY

To approve the First Amendment to the Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano, Texas for the use of a community garden at the Parkway Transfer Station Facility; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

At the May 22, 2023 City Council meeting, the Environmental Health & Sustainability department will respectfully request approval of an amendment to an Interlocal Agreement with the North Texas Municipal Water District (NTMWD) for use of the community garden property at the Parkway Transfer Station facility.

Since 2006, the NTMWD has allowed use of this property for the Plano Community Garden. The department received notice in 2021 from the district that the agreed upon land footprint would need to be reduced slightly to accommodate a new water holding pond that is to be constructed. This resulted in a modification to the current agreement and will not affect operations at the garden once constructed.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item has no financial impact.

Approval of this agenda item supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
INTERLOCAL AGREEMENT	5/9/2023	Agreement

**FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN
NORTH TEXAS MUNICIPAL WATER DISTRICT AND THE CITY OF PLANO, TEXAS
FOR THE USE OF A COMMUNITY GARDEN AT THE PARKWAY TRANSFER
STATION FACILITY**

THIS FIRST AMENDMENT OF Interlocal Cooperation Agreement (hereinafter "First Amendment") is by and between the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation (hereinafter "PLANO"), acting by and through its City Manager or his designee, and the **NORTH TEXAS MUNICIPAL WATER DISTRICT**, a conservation and reclamation district and political subdivision of the State of Texas (hereinafter "NTMWD"). CITY and NTMWD are sometimes collectively referred to as "Parties."

WITNESSETH:

WHEREAS, the Parties entered into the Interlocal Cooperation Agreement on October 6, 2006 (hereinafter "Agreement") for the use of a community garden at the NTMWD's Parkway Transfer Station Facility (hereinafter "Community Garden"); and

WHEREAS, it is necessary to modify the acreage and notice sections of the Agreement as set forth herein in this First Amendment.

NOW THEREFORE, for other good and valuable consideration, the Parties agree to amend the Agreement as follows:

I.

The Agreement is incorporated herein as if written word for word. Except as provided below, all other terms and conditions of the Agreement shall remain unchanged and shall remain in full force and effect. In the event of any conflict or inconsistency between the provisions set forth in this First Amendment and the Agreement, priority of interpretation shall be in the following order: (1) First Amendment, and (2) Agreement.

II.

Beginning on the effective date of this First Amendment and continuing through the remaining term of the Agreement, Section III, Subsection A.1 is hereby deleted in its entirety and replaced with the following:

NTMWD shall, for the duration of the Agreement, allow Plano to use the approximately 1.257 acre parcel at the Parkway Transfer Station, located at 4030 West Plano Parkway Plano, Texas 75093 (hereinafter referred to as the "Community Garden Parcel") for the purposes of a community garden built and operated by residents of the City of Plano.

III.

Beginning on the effective date of this First Amendment and continuing

through the remaining term of the Agreement, Section III, Subsection B.1 is hereby deleted in its entirety and replaced with the following:

Plano recognizes the Community Garden Parcel is regulated by TCEQ via permit number MSW 1494, which is subject to future amendment. TCEQ permit number MSW 1494, as amended, is hereinafter referred to as the "Permit". Plano agrees to maintain the Community Garden Parcel in compliance with any present or future rules governing the transfer station operation and the Permit, and will bear the cost associated with such compliance. Plano further agrees to contact NTMWD for approval prior to performing any activities on the Community Garden Parcel that require a modification to the Permit. Such activities include, but are not limited to: construction of permanent structures, installation of fencing, and re-grading that alters the site drainage. Any activities that require prior TCEQ approval shall not occur until NTMWD receives approval from TCEQ. If notified by NTMWD of any violations to rules governing activities on the Community Garden Parcel, Plano shall immediately rectify such violations at its sole cost and expense.

IV.

Beginning on the effective date of this First Amendment and continuing through the remaining term of the Agreement, Section III, Subsection B.2 is hereby deleted in its entirety and replaced with the following:

NTMWD shall obtain, at NTMWD's expense, the survey for the modification of the acreage in the Agreement.

V.

Beginning on the effective date of this First Amendment and continuing through the remaining term of the Agreement, Section III, Subsection B.6 is hereby deleted in its entirety and replaced with the following:

Plano shall keep the future planned detention pond free and clear of all debris and obstructions to facilitate drainage of surface water run-off from the transfer station facility.

VI.

Beginning on the effective date of this First Amendment and continuing through the remaining term of the Agreement, the Exhibit B attached to the Agreement is replaced with the Exhibit B attached hereto, and made a part of, this First Amendment.

VII.

Beginning on the effective date of this First Amendment and continuing through the remaining term of the Agreement, Section **V. NOTICE** is hereby modified in its entirety as follows:

**V.
NOTICE**

Notice, as required by this Agreement, shall be in writing delivered to the parties via hand delivery, facsimile, email, certified mail, return receipt requested, or national overnight delivery service at the addresses listed below:

If to PLANO:

Nicole Warhottig
SEED Manager
4200 W. Plano Parkway
Plano, TX 75093
(972) 769-4132 (Telephone)
(972) 769-4219 (Facsimile)
Email: nwarhottig@plano.gov

If to NTMWD:

Jennafer P. Covington
Executive Director/General Manager
Post Office Box 2408
Wylie, TX 75098
972-442-5405 (Telephone)
972-295-6440 (Facsimile)
Email: jcovington@ntmwd.com,
mfriesen@ntmwd.com, and
jmayfield@ntmwd.com

With a copy to:

City Attorney
City of Plano
1520 K Avenue, Suite 340
Plano, Texas 75074

Saunders, Walsh & Beard
6850 TPC Drive, Suite 210
McKinney, Texas 75070
214-919-3555 (Telephone)
214-945-4060 (Facsimile)
Email: mark@saunderswalsh.com

Each party shall notify the other in writing within ten (10) calendar days of any change in the information listed in this section.

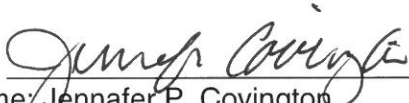
VIII.

Each person signing this First Amendment represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this First Amendment. Each party represents and warrants to the other that the execution and delivery of the First Amendment and the performance of such party's obligations hereunder have been duly authorized and that the First Amendment is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

IN WITNESS WHEREOF, this First Amendment shall be effective from and after the date of execution by the last signatory hereto as evidenced below.

NORTH TEXAS MUNICIPAL WATER DISTRICT

Date: 4/25/2023

By: 
Name: Jennafer P. Covington
Title: Executive Director/General Manager

CITY OF PLANO, TEXAS

Date: _____

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT B

COMMUNITY GARDEN
Interlocal Cooperation Agreement
54,746 Sq. Ft./1.257 Acres
Part of Lot 1, Block 1
Parkway Transfer Station Addition
City of Plano
Collin County, Texas

BEING 1.257 acres of land, situated in the City of Plano, in the Martha McBride Survey, Abstract No. 553 and being part of Lot 1, Block 1 of Parkway Transfer Station Addition, an addition to the City of Plano, according to the Final Plat thereof, recorded in Cabinet C, Page 409, Plat Records, Collin County, Texas (P.R.C.C.T.) being the same as that certain called 7.914 acre tract described in a deed from the City of Plano to North Texas Municipal Water District, recorded in Volume 1300, Page 806 Deed Records, Collin County, Texas (D.R.C.C.T.), SAVE & EXCEPT that certain parcel of land described in a Boundary Line Agreement, recorded in Document No. 20100831000916260, D.R.C.C.T. and said parcel being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2 inch iron rod, topped with a plastic cap, stamped "HALFF", found on the south line of the above described Lot 1, Block 1 and the northerly right-of-way line of the Kansas City Southern Railroad Company (150' wide right-of-way) and said point being the southeast corner of that certain called 0.776 acre tract of land described in a Boundary Line Agreement, dated August 13, 2010 and recorded in Document No. 20100831000916260, Deed Records, Collin County, Texas (D.R.C.C.T.) and same being the easterly southeast corner of Lot 1, Block 1 of Renner SVC Substation, an addition to the City of Plano according to the Final Plat thereof, recorded in Volume 2010, Page 251, P.R.C.C.T. and said point bears South 79 deg. 14 min. 01 sec. East – 27.43 feet from the original southwest corner of Lot 1, Block 1 of Parkway Transfer Station Addition;

THENCE: North 00 deg. 44 min. 32 sec. East, departing from said railroad right-of-way, along the common line of said Parkway Transfer Station Addition and Renner SVC Substation, a distance of 297.40 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", found for corner on the original north line of said Parkway Transfer Station Addition and same being the most southerly corner of Lot 1, Block 1 of Westside Service Station Addition, Phase II, an addition to the City of Plano, according to the Final Plat thereof, recorded in Cabinet I, Page 31, P.R.C.C.T.;

THENCE: North 61 deg. 01 min. 05 sec. East, along the common line of said Parkway Transfer Station and Westside Service Station additions, a distance of 279.65 feet to a point in a north-south chain link fence for the northeast corner of this hereinafter described parcel of land;

THENCE: South 03 deg. 09 min. 03 sec. East, departing from said common line, over & across said Lot 1, Block 1 and with said chain link fence, a distance of 251.08 feet to a point for the southeast corner of this parcel of land;

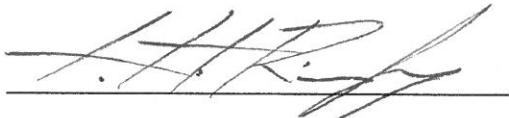
THENCE: North 88 deg. 38 min. 27 sec. West, departing from said chain link fence, continuing across said Lot 1, Block 1, a distance of 164.61 feet to a point for an inside ell corner of this parcel of land;

THENCE: South 27 deg. 42 min. 17 sec. West, continuing across said Lot 1, Block 1, a distance of 210.17 feet to the **POINT OF BEGINNING and containing 54,746 square feet or 1.257 acres of land.**

Note:

The Bearing Base of this Plat is South 43° 59' 00" East, along the Northeasterly line of Lot 1, Block 1, of the Parkway Transfer Station Addition recorded in Cabinet C, Page 409, of the Plat Records, Collin County, Texas.

Prepared Under My Hand & Seal,
This 19th Day of January, 2023.



Lawrence H. Ringley, R.P.L.S.
State of Texas, No. 4701



AREA NOTE:

The area (acres) shown hereon is based on the mathematical closure of the courses and distances reflected on this Survey. It does not include the tolerances that may be present due to positional accuracy of the boundary monuments in place.

REFERENCE BEARING:

The Bearing Base of this Plat is (S 43° 59' 00" E). Along the North line of Lot 1, Block 1, of the Parkway Transfer Station Addition recorded in Cabinet C, Page 409, of the Plat Records, Collin County, Texas.



SCALE: 1" = 100'

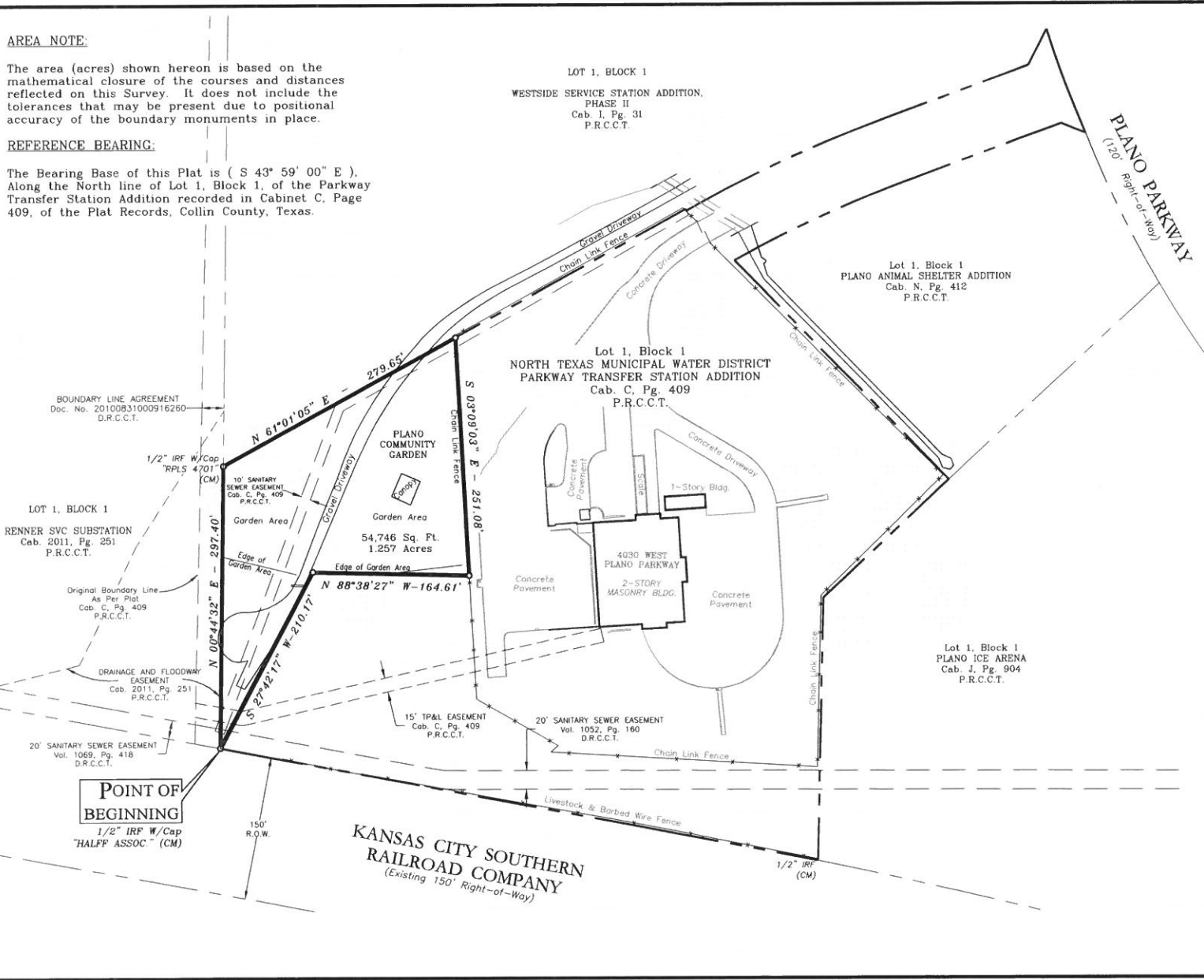



EXHIBIT B
PAGE 3 OF 3

COMMUNITY GARDEN
Interlocal Cooperation Agreement
54,746 Sq. Ft./1.257 Acres
Part of Lot 1, Block 1
Parkway Transfer Station Addition
situated in
Martha McBride Survey, Abstract No. 553
City of Plano, Collin County, Texas

 RINGLEY & ASSOCIATES, INC. <small>SURVEYING • MAPPING • PLANNING Texas Firm Registration No. 10061300 701 S. Tennessee - McKinney, Texas 75069 (972) 542-1266</small>		
Drawn by	Date	Scale
Mark Haab	01/19/2023	1" = 100'
Job	Title	Sheet
2022-047	2022-047-EX.DWG	3 of 3



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Parks
DIRECTOR: Ron Smith, Director of Parks and Recreation
AGENDA ITEM: Plano Sports Authority Second Modification of Lease Agreement
RECOMMENDED ACTION: Approval of Contract / Agreement

ITEM SUMMARY

To approve a Second Modification to the terms of the Lease Agreement between the City of Plano, Texas and Plano Sports Authority, Inc. (PSA), allowing for the use of the Leased Premises by adults with approval by Plano Parks and Recreation; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

In May 1998, a Lease Agreement was established between the City of Plano and the Plano Sports Authority, authorizing the non-profit to construct, maintain and operate a gymnasium, office and meeting room facility to serve Plano community youth on land owned by the City of Plano. The intent was for PSA to provide year-round, supervised recreational, competitive and instructional athletic activities and tournaments for all interested youth. The original lease prohibits PSA from offering adult sports programs at the PSA 1 facility located at 6500 Preston Meadow Dr. in Carpenter Park.

As the Plano community continues to evolve, so do preferences in recreational and athletic activities. The proposed lease modification removes the restriction on adult programs at the PSA 1 facility, with written City approval, thus providing greater opportunity for Plano Parks & Recreation and Plano Sports Authority to meet the evolving recreational and athletic needs of Plano residents.

The lease modification stipulates the facility may allow the following recreational and athletic adult programs:

- A. Recreational programs hosted by the City of Plano.
- B. Recreational programs hosted by PSA with approval from the City of Plano.
- C. Recreational programs jointly offered by PSA and the City of Plano

Individual Service Agreements will serve as the City's approval for adult recreational programming hosted at PSA 1.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item has no financial impact.

Approval of this item supports the City's Strategic Plan Critical Success Factor of Welcoming and Engaged Community.

ATTACHMENTS:

Description	Upload Date	Type
2nd Modification of Lease Agreement	5/16/2023	Agreement

THE STATE OF TEXAS § Second Modification of Lease Agreement
§ **By and Between City of Plano, Texas**
§ **and Plano Sports Authority, Inc.**
§
COUNTY OF COLLIN §

THIS SECOND MODIFICATION of Lease Agreement (hereinafter "Second Modification") is by and between the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation (hereinafter "LESSOR"), acting by and through its City Manager or his designee, and **PLANO SPORTS AUTHORITY, INC.**, a Texas non-profit corporation (hereinafter "LESSEE").

WITNESSETH:

WHEREAS, LESSOR and LESSEE entered into a Lease Agreement on May 15, 1998 (hereinafter "Lease") for the lease of Premises located within Carpenter Park, Plano, Collin County, Texas (hereinafter "Leased Premises") with the purpose of such Lease being to construct, maintain, and operate a gymnasium, office, and meeting room facility to serve the Plano community; and

WHEREAS, LESSOR and LESSEE executed the First Modification of Lease Agreement on May 5, 2000 ("First Modification") to revise various construction and use of premises provisions in the Lease; and

WHEREAS, LESSOR and LESSEE desire to amend such Lease in certain respects as set forth herein in this Second Modification.

NOW THEREFORE, the Lease is incorporated herein as if written word for word. Except as provided below, all other terms and conditions of the Lease shall remain unchanged and shall remain in full force and effect. In the event of any conflict or inconsistency between the provisions set forth in this Second Modification and the Lease, priority of interpretation shall be in the following order: Second Modification, First Modification, Lease. In consideration of the foregoing, and for other good and valuable consideration, the parties hereto agree as follows:

I.

Beginning on the effective date of this Second Modification and continuing through the remaining term of the Lease, Subsection (b) of Section 3.01, Use of Leased Premises, is hereby amended to read in its entirety as follows:

“Section 3.01. USE OF LEASED PREMISES.

(a) It is the intent of the parties that during the term of this Lease, LESSEE shall construct, maintain, and operate a gymnasium, office and meeting room facility on the Leased Premises, including parking facilities and landscaping of the entire Leased Premises (hereinafter referred to as "Improvements"), which facilities shall serve the Plano community in accordance with the terms of this Lease Agreement.

(b) Except as provided in Subsection (c) below, the Leased Premises shall be used only to provide year round, supervised recreational, competitive and instructional athletic activities and tournaments for all interested youth who voluntarily elect to participate in the programs offered by LESSEE. The term "youth" shall mean persons up to eighteen (18) years of age and those over eighteen (18) years of age if currently enrolled in a public or private secondary school of education.

(c) Except as provided in this subsection, all programs provided by LESSEE must be for youth only and shall be directly supervised by LESSEE. LESSEE may allow adults to use the Leased Premises for only the following purposes:

(i) LESSOR's use of the Leased Premises by LESSOR or other permitted organizations as provided under Section 3.03.

(ii) Parents, friends, relatives, spectators or chaperones of youth who accompany the youth to their activities, including team parties or celebrations.

(iii) Those persons administering programs for LESSEE such as coaches, trainers, and officials.

(iv) Those persons providing administrative or maintenance responsibilities for LESSEE in regard to the operation of the Leased Premises.

(v) Those persons participating in the following:

(A) Recreational programs hosted by LESSOR's Parks and Recreation Department.

(B) LESSEE's recreational program, with written approval of LESSOR.

(C) Recreational programs jointly offered by the parties.

(d) Due to the fact that the Leased Premises are located on designated park property, LESSEE hereby agrees to use the Leased Premises for uses consistent with or in furtherance of public use and enjoyment of the park and in a manner which will not interfere with the use of the park for park purposes.

(e) Operation of the Leased Premises for participant use, including scheduled league events, shall be restricted to the hours between 8:00 a.m. and 10:00 p.m., except as specifically provided below. The term "scheduled league events" shall mean only games, practices, and other activities sponsored by LESSEE or under the direction of LESSEE. The foregoing time limitations shall be subject to the following exceptions or qualifications or restrictions:

(i) For scheduled league events that begin at 8:00 a.m., youth, parents, friends, relatives, spectators or chaperones of youth who accompany the youth to their activities, may be admitted to the Leased Premises no earlier than 7:00 a.m. for scheduled league event warm-up and equipment set-up. General team practice not associated with a concurrent game shall be restricted to 8:00 a.m. to 10:00 p.m.

(ii) Administrative and maintenance uses may exceed the 8:00 a.m. to 10:00 p.m. time limitation, except as otherwise limited by the Park Hours ordinance. The term "administrative and maintenance use" shall mean use for those clerical, managerial, janitorial, custodial or maintenance and/or repair type functions necessary to the operation of the Leased Premises.

(iii) No scheduled league event shall commence prior to 8:00 a.m. nor be scheduled to finish later than 10:00 p.m. except for tournament play. To the extent that play of a scheduled league event, which was scheduled to finish no later than 10:00 p.m., extends beyond 10:00 p.m., such play shall be permitted so long as the participants, including

spectators, vacate the Leased Premises upon the completion of the event in question as soon as reasonably practical.

(iv) Prior to use of the Leased Premises for any other individual LESSEE sponsored event such as a tournament, clinic, or other permitted use which would extend beyond the hours provided in this section, LESSEE must receive the written consent of the Director of Parks and Recreation.

(f) The parking lot along the southern portion of the Leased Premises shall not be available for use on Sunday through Friday, unless LESSEE determines in its reasonable discretion, that the capacity of the remaining on-site parking located in the northern portion of the Leased Premises is insufficient to meet the parking needs of the day's events."

II.

Each person signing this Second Modification represents and warrants that they are duly authorized and have legal capacity to execute and deliver this Second Modification. Each party represents and warrants to the other that the execution and delivery of the Second Modification and the performance of such party's obligations hereunder have been duly authorized and that the Second Modification is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

[INTENTIONALLY LEFT BLANK. SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, this Second Modification of Lease Agreement shall be effective from and after the date of execution by the last signatory hereto as evidenced below.

PLANO SPORTS AUTHORITY, INC., a
Texas non-profit corporation

Date: _____

By: _____
Name: _____
Title: _____

CITY OF PLANO, TEXAS, a Texas
home-rule municipal corporation

Date: _____

By: _____
Mark D. Israelson
CITY MANAGER

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023

DEPARTMENT: Gov Relations

DIRECTOR: Andrew Fortune, Director of Policy & Government Relations

AGENDA ITEM: The City of Plano, Texas authorizing and establishing precedent in harmony with the Americans with Disabilities Act (ADA) of 1990; creating a standard for closed captioning for public facing televisions at City facilities and encouraging Plano businesses to provide similar accommodations.

RECOMMENDED ACTION: Adoption of Resolutions

ITEM SUMMARY

To authorize and establish precedent in harmony with the Americans with Disabilities Act (ADA) of 1990; creating a standard for closed captioning for public facing televisions at City facilities; and providing an effective date. **Adopted Resolution No. 2023-5-6(R)**

BACKGROUND

A citizen, who is deaf, asked if there was a possibility to have all public-facing televisions in Plano to have closed captioning on. Staff reviewed ordinances, state statutes and resolutions across the country on closed captioning on public facing televisions. Only six cities in America, and the state of Washington have regulations requiring closed captioning on any television in a public area within any facility serving the general public. Enforcement of such a statute would be difficult to manage and enforce in every public facing entity. To be more inclusive, and move in a direction of encouraging businesses to be more inclusive, and in the spirit of Plano's commitment to reduce barriers at city facilities, a resolution to require all city owned facilities to provide closed captioning on televisions in public areas should be declared. The resolution would also include the encouragement of local businesses to do the same.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item has no financial impact.

Activating closed captioning on all City televisions supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Closed Captioning Resolution	5/12/2023	Resolution

A Resolution of the City of Plano, Texas, authorizing and establishing precedent in harmony with the Americans with Disabilities Act (ADA) of 1990; creating a standard for closed captioning for public facing televisions at City facilities; and providing an effective date.

WHEREAS, the City of Plano, Texas reaffirms its ongoing commitment to provide inclusive access to policies, programs, communications and facilities to all individuals; and

WHEREAS, effective communication in local government is essential, in both understanding and being understood; and

WHEREAS, closed captioning is a tool that helps both public and private sectors effectively communicate spoken dialog when delivered via a digital screen; and

WHEREAS, 48 million people in the United States suffer from hearing loss, with some being born deaf and others losing the capability to hear from injury, or as they age; and

WHEREAS, closed captioning helps make audible content more accessible to persons who are deaf, hard of hearing, or suffering hearing loss due to age or illness, as well as those with developmental disabilities, sensory disabilities, non-native English speakers, and others; and

WHEREAS, closed captioning also increases access to information for the general public where TV's are located in crowded or noisy spaces where hearing may be difficult; and

WHEREAS, the City Council believes that it is in the public interest to provide closed captioning on televisions accessible to the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council of the City of Plano hereby approves to activate closed captioning on televisions in places of public accommodation, within City facilities.

Section II. The City Council encourages Plano businesses to provide similar accommodations as they deem appropriate.

Section III. The Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on the 22nd day of May, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023
DEPARTMENT: Municipal Court
DIRECTOR: Paul McNulty, Chief Municipal Judge
AGENDA ITEM: Adoption of an Ordinance for the appointment of Mark Ledbetter as Associate Municipal Court Judge
RECOMMENDED ACTION: Adoption of Ordinances

ITEM SUMMARY

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. **Adopted Ordinance No. 2023-5-7**

BACKGROUND

An Ordinance is being submitted for the appointment of Mark Ledbetter as Associate Judge of the City of Plano Municipal Court of Record to fill the unexpired term of the prior Associate Judge, which term is set to expire on June 30, 2025 and to set the compensation of said Associate Judge.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item, in the amount of \$63,087 (including benefits), is included in the approved 2022-23 Budget. This amount will cover the remainder of this fiscal year and future years will occur within Council approved appropriations. City Charter authorizes the selection and appointment of the judges of the Municipal Court of Record with the approval of the City Council.

Approval of this Ordinance will support the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance for Appointment of Associate Judge	5/16/2023	Agreement

An Ordinance of the City of Plano, Texas, appointing 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.

WHEREAS, Section 4.04, Article 4, General Administration, of the Home Rule Charter for the City of Plano, Texas established the municipal court for the trial of misdemeanor offenses; and

WHEREAS, Section 13-3, Chapter 13, Municipal Court, Plano Code of Ordinances, provides for the selection and appointment of the judges of the Municipal Court of Record; and

WHEREAS, the Chief Municipal Judge and the Associate Judges are to be selected and appointed by the City Council to serve specific terms.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS THAT:

Section I. The City Council hereby appoints the following individual as an Associate Judge of the Municipal Court of Record of the City of Plano, Texas and sets the compensation for the individual as follows:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Mark Ledbetter	Associate Judge	\$ 55.000000 per hour

Section II. The City Council hereby appoints the Associate Judge to serve the unexpired term of office beginning June 12, 2023 and ending on June 30, 2025.

Section III. Future adjustments to compensation for Associate Judges are permitted for all Associate Judges as long as those adjustments are consistent with any authorized changes to the city's compensation plan including raises authorized as part of the annual budget process.

Section IV. Nothing in this Ordinance limits or otherwise prevents the City Council from revising the compensation of any individual at any time.

Section V. This Ordinance and the appointment shall become effective immediately upon its passage

PASSED AND APPROVED on the 22nd day of May, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY COUNCIL AGENDA MEMO

MEETING DATE: 5/22/2023

DEPARTMENT: Gov Relations

DIRECTOR: Andrew Fortune, Director of Policy & Government Relations

AGENDA ITEM: A second reading of an Ordinance to extend the current Franchise Agreement between CoServ Electric and the City of Plano until June 9, 2024.

RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Second Reading and consideration of an Ordinance to amend Section 3 of Ordinance No. 2003-6-3, Section I of Ordinance No. 2008-4-42, Section I of Ordinance No. 2015-10-17 and Section I of Ordinance No. 2019-11-15 to extend the non-exclusive franchise granted to Denton County Electric Cooperative, Inc., d/b/a CoServ Electric, a Texas electric cooperative corporation, to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public rights-of-way in the City of Plano, Collin County, Texas, for the purposes of constructing and operating an electric distribution system in the City of Plano; and providing a repealer clause, a severability clause, a publication clause, and an effective date. (First reading was held at the April 10, 2023, City Council meeting.) **Second reading conducted and adopted Ordinance No. 2023-5-8**

PREVIOUS ACTION/PRESENTATION

The first reading of the Ordinance was held at the April 10, 2023 City Council meeting.

BACKGROUND

The City of Plano and CoServ Electric agree to extend the term of the current Franchise Agreement for one year until June 9, 2024 while a new Franchise Agreement is being negotiated.

As required by City Charter, the first reading was held at the Monday, April 10th City Council meeting, and the second reading will be held at the Monday, May 22nd City Council meeting. After the second reading, the Ordinance will be published for four consecutive weeks in the official Plano newspaper, and conditioned upon written acceptance by CoServ Electric.

FINANCIAL SUMMARY/STRATEGIC GOALS

The extension of this Franchise Agreement will produce an indeterminable amount of revenue, attributable to a quarterly franchise fee based on 4% of the Gross Revenues during the preceding quarter, as defined in the agreement. As a point of reference, anticipated CoServ Electric Franchise Fee Revenue to be received in FY 2022-23 is approximately \$1,100,000.

Approval of this extension relates to the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance	4/17/2023	Ordinance

An Ordinance of the City of Plano, Texas, amending Section 3 of Ordinance No. 2003-6-3, Section I of Ordinance No. 2008-4-42, Section I of Ordinance No. 2015-10-17 and Section I of Ordinance No. 2019-11-15 to extend the non-exclusive franchise granted to Denton County Electric Cooperative, Inc., d/b/a CoServ Electric, a Texas electric cooperative corporation, to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public rights-of-way in the City of Plano, Collin County, Texas, for the purposes of constructing and operating an electric distribution system in the City of Plano; and providing a repealer clause, a severability clause, a publication clause, and an effective date.

WHEREAS, on June 2, 2003, by Ordinance No. 2003-6-3, the City Council of the City of Plano, Texas (“City”), granted to Denton County Electric Cooperative, Inc., d/b/a CoServ Electric (“CoServ Electric”), a non-exclusive franchise to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public rights-of-way in the City of Plano, Collin County, Texas, for the purposes of constructing and operating an electric distribution system (“Franchise”); and

WHEREAS, the term of the Franchise was previously extended for an additional period of five (5) years by Ordinance No. 2008-4-42; and

WHEREAS, the Franchise expired under its own terms on June 9, 2013; and

WHEREAS, the term of the Franchise was previously extended for an additional period of five (5) years by Ordinance No. 2015-10-17 and the use of the Franchise between June 9, 2013 and October 26, 2015 was fully ratified as if at all times occurring under and bound by the terms of the Franchise; and

WHEREAS, the Franchise expired on June 9, 2018; and

WHEREAS, on November 25, 2019, the term of the Franchise was extended until June 9, 2023, by Ordinance No. 2019-11-15 under the same terms and conditions as the Franchise granted by Ordinance No. 2003-6-3; and

WHEREAS, Ordinance No. 2019-11-15, will expire on June 9, 2023; and

WHEREAS, the City and CoServ Electric desire that the term of the Franchise be extended until June 9, 2024; and

WHEREAS, the City Council accepts that the Franchise should be extended until June 9, 2024, and that the Franchise have the same terms and conditions as the Franchise granted by Ordinance No. 2003-6-3.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Franchise is hereby extended until June 9, 2024, under the same terms and conditions as the Franchise granted by Ordinance No. 2003-6-3 (the "Original Ordinance").

Section II. All provisions of the Code of Ordinances of the City of Plano in conflict with the provisions of this Ordinance or the Original Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance or the Original Ordinance, shall remain in full force and effect.

Section III. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section IV. This Ordinance shall be read at two separate regular meetings of the City Council of the City of Plano, with the second meeting to be at least 30 days from the first reading, and shall be published once each week for four consecutive weeks in the official newspaper of the City of Plano.

Section V. This Ordinance shall become effective 30 days after its final passage and publication as required by City Charter and conditioned upon written acceptance by CoServ Electric of this Ordinance attached hereto prior to the effective date; otherwise, this Ordinance shall be null and void.

PASSED AND APPROVED ON FIRST READING on the 10th day of April, 2023.



John B. Muns, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

PASSED AND APPROVED ON SECOND READING (which date is at least 30 days from the first reading) on the 22nd day of May, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ACCEPTED BY DENTON COUNTY
ELECTRIC COOPERATIVE, INC., D/B/A
COSERV ELECTRIC

BY: _____
(Signature)

(Print Name)

(Title)

(Date)