

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING**

August 27, 2001

COUNCIL MEMBERS

Jeran Akers, Mayor
Rick Neudorff, Mayor Pro tem
Phil Dyer, Deputy Mayor Pro tem
Shep Stahel
Pat Evans
Steve Stovall
John R. Roach, Jr.
Ken Lambert

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Executive Director
Bruce Glasscock, Executive Director/Police Chief
Rod Hogan, Executive Director
Diane C. Wetherbee, City Attorney
Elaine Bealke, City Secretary

Mayor Pro tem Neudorff called the meeting to order at 5:16 p.m., Monday, August 27, 2001, in the Council Conference Room of the Municipal Center, 1520 K Avenue. All Council Members were present. Mayor Akers arrived at 5:23 p.m.

Mayor Pro tem Neudorff then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive legal advice, Section 551.071 for which a certified agenda is not required.

Mayor Akers reconvened the Council into the Preliminary Open Meeting at 6:12 p.m. in the Council Chambers wherein the following matters were discussed.

Consideration and Action Resulting From Executive Session

None brought forward.

North Texas Municipal Water District Update

North Texas Municipal Water District (NTMWD) Board member Jerry Yancey advised the Council that the report included in the packet includes data for the month of June and that the NTMWD is the third largest processor of water only after districts in Houston and Dallas. He spoke to efforts by the district to supply demands, and advised Council Member Roach that the District will finalize their budget at their September meeting and that after such time financial information will be provided the City. Mr. Yancey advised Council Member Stahel that lawn watering is one of the main reasons why the area of water usage is up over the area of waste-water processing. He advised Council Member Lambert regarding obtaining raw water from Oklahoma and stated that things are on a good tract towards negotiation and spoke to regional water planning efforts. Mr. Roach complemented the board regarding efforts made to maintain control of odor in the Los Rios neighborhood. NTMWD Board member Alex Schell spoke to the large quantities of water available and to ongoing negotiations with neighboring areas. Mayor Pro tem Neudorff spoke to the next legislative session addressing a water "Robin Hood" program to which Mr. Yancey replied that the state might urge regional cooperation and identify where water rich areas are or are not.

Discussion and Direction Regarding Impact Fee Rates

Executive Director Turner spoke to the collection of impact fees to help recoup the cost of developing capital facilities to serve new growth for water and sewer service and further spoke to amendments made over the years. He spoke to active negotiation by the Texas Municipal League with the Texas Association of Builders at the last two legislative sessions and other interest groups to resolve technical issues involved in the calculation of impact fees. He stated that Senate Bill 243, adopted at this last session, includes benefits for municipalities towards calculating, public notice, and the extension period for required updates moving from three years to five. Mr. Turner spoke to concessions given to the development industry regarding impact fee discounts and collection time deferments. Mr. Turner stated that Consent Item "S", Ordinance to amend Impact Fee Calculation, is being requested by Staff for adoption. He stated that during the next year Staff will bring an amended full ordinance and fee program for consideration. He stated that overall these amendments are good for the City.

Comprehensive Monthly Finance Report

Director of Finance McGrane presented the Comprehensive Monthly Finance Report for the month of July and spoke to revised budgetary numbers, municipal drainage revenues being down and stated that most funds are in line. He spoke to sales tax receipts, housing starts, increases in patio home development, hotels coming online, and the investment fund.

Council Items For Discussion/Action on Future Agendas

Council Member Stahel requested that Staff bring an update back to the Council in 30 to 60 days regarding Research Technology District development.

Consent and Regular Agenda

Mayor Akers advised that Consent Item "B", Bid for Ridgeview Pump Station – Pumps 17 and 18 will be removed for individual consideration. He further advised that due to a conflict of interest he will be stepping down on Consent Items "J" Bid for the Courtyard Theatre Lighting, "T" Ordinance revising the Traffic Code, "U" Ordinance to adopt parking provisions, and "V" Ordinance to amend sections of the Traffic Code. Mayor Pro tem Neudorff requested that Consent Item "Q" Ordinance to amend solicitation provisions, be removed for individual consideration. Council Members Stahel and Stovall advised that due to conflicts of interest they will be stepping down from Consent Item "Z" Contract to approve expenditure for Configurable Network Computing. Deputy Mayor Pro tem Dyer and Council Member Roach advised that due to conflicts of interest, they will be stepping down from portions of Regular Item 2, Public Hearing regarding Preston/Plano Parkway grade separation and Preston Road Corridor Study. Council Member Stahel further advised that due to a conflict of interest he will be stepping down on Regular Item 7, Public Hearing to amend the zoning ordinance.

Council Reports

None were given.

City Attorney Wetherbee requested that the Council convene back into Executive Session in order that the Council might receive Legal Advice regarding an item on tonight's agenda.

Mayor Akers advised that the Council will recess and convene into Executive Session in the Council Conference Room. The Council convened into Executive Session in compliance with Chapter 551, 071 Government Code, Vernon's Texas Codes, Annotated, to receive legal advice, Section 551.071, for which a certified agenda is not required.

Mayor Akers recessed the meeting at 6:47 p.m. to the Council Conference Room. Nothing further was discussed in the Preliminary Open Meeting. Remaining Preliminary items were moved to the Regular Meeting.

Jeran Akers, **MAYOR**

Rick Neudorff, **MAYOR PRO TEM**

ATTEST:

Elaine Bealke, City Secretary