

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
February 24, 2003**

COUNCIL MEMBERS

Pat Evans, Mayor
Phil Dyer, Mayor Pro tem
Steve Stovall, Deputy Mayor Pro tem
Shep Stahel
Scott Johnson
Sally Magnuson
John R. Roach, Jr.
Ken Lambert

STAFF

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

Mayor Evans called the meeting to order at 5:02 p.m., Monday, February 24, 2003, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Stahel arrived at 5:05 p.m. and Deputy Mayor Pro tem Stovall arrived at 5:06 p.m. Mayor Evans 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, to discuss Personnel, Section 551.074 and to discuss Real Estate, Section 551.072, for which a certified agenda is required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 5:29 p.m. in the Council Chambers for which the following matters were discussed:

Consideration and Action Resulting From Executive Session Discussion – Board of Adjustment

Upon a motion made by Mayor Pro tem Dyer and seconded by Council Member Magnuson, the Council voted 8-0 to appoint Christopher J. Caso to an interim position as an alternate member.

Update on Performing Arts Center Status

This item was rescheduled for the March 18 agenda.

Sales Tax Consultant Presentation

City Manager Muehlenbeck presented an overview of the fiscal year tax forecast for 2003 and 2004 and spoke to rapid resident growth pressures on local governments and accompanying tax revenues through the 1990's. He stated that the national slowdown, telecom problems, and heightened competitive environment have created pressure on the local retail sector and that little change in declining sales tax revenues is expected in the near future. Mr. Muehlenbeck stated that current world affairs, investment issues, consumer debt and confidence levels have had a negative impact on the national economy and that inflation/deflation scenarios, the dollar value, interest rates and government spending, and business cycle timing have created positive impacts.

Mr. Muehlenbeck stated that real economic national recovery will not be felt until late 2003 and that confidence in business investments and consumer spending is the ultimate arbiter. He stated that current world events have impacted the nation as well as the City of Plano and that the Dallas Metropolitan Statistical Area (MSA), which lists durable manufacturing and communications employment, the Standard and Poor's 500 index values, and the level of real business national investments are key measures of the economy and are strong predictors of local sales tax revenues. Mr. Muehlenbeck spoke to local measures capturing the production sector of the regional economy and stated that national measures reflect confidence and investment. Mr. Muehlenbeck stated that the initial sales tax forecast for 2003 is a decline of 3.5% along with a 4.1% rise (based on numbers from the previous decline.)

Mr. Muehlenbeck stated that local factors include e-Commerce, changing economic structure, shopping and entertainment integration, and competition from other communities such as the cities of Allen and Frisco and further spoke to both potential declining and growing sales tax forecasts and applicable fiscal revenues. He stated that Staff will continue to work with the consultant and advised the Council that this information will be used as a guide in upcoming budget preparations. Council Member Roach commended the media for articles regarding *Shop Plano*.

Technology Commission Report

Technology Commission Chair Jeff Gardner addressed the Council regarding the activities and progress of the Commission and stated that the top issues for 2002 were broadband internet access, input to the Technology Element of the Comprehensive Plan, and directory services.

Mr. Gardner stated that the history of broadband internet access has included complaints of not being able to access this service and advised that a web questionnaire was created to track complaints. He stated that comments were filed with the Federal Communications Commission (FCC) through the City Council on the untimely deployment of broadband services and further stated that attempts to influence carriers to deploy broadband have been unsuccessful. Mr. Gardner reviewed the questionnaire data for 2002 and stated that information derived revealed that 60% of respondents had no access and further that meetings were initiated with existing and potential broadband service providers to receive comments and determine coverage gaps. He stated that AT&T Broadband completed their expansion in October 2002.

Mr. Gardner stated that the Technology Commission provided input and worked with a task force, City Staff, and the Planning and Zoning Commission towards the creation of the Technology Element of the City's Comprehensive Plan and stated that doing it this way resulted in a savings of over \$150,000 to the City. He spoke to complaints received on the quality and inconsistency of Directory Assistance Service and to guidance sought from the FCC's local and state government advisory committee.

Mr. Gardner stated that 2003 includes planned activities to continue monitoring internet access, updating the questionnaire respondents on results achieved to date, and monitoring technologies that facilitate further broadband deployment/access. Deputy Mayor Pro tem Stovall spoke to seeking out providers to bring services to the City of Plano. Mr. Gardner spoke to directory services failures and to implementing a web page to collect instances of these failures. Mayor Evans spoke to problems surrounding directory assistance and the non-availability of data when using various wireless providers. Mr. Gardner spoke to the *do not call list* and monitoring actions affecting privacy rights and exploring recommendations for reducing unwanted telephone solicitations to residents. He spoke to continued activities to monitor proposed actions from national and state authorities and making recommendations to the Council. Former Chair Jim Ryan advised the Council that questionnaire response indicates that there are still a high number of individuals who state they cannot get broadband access and further that arrangements were made to forward these names to Comcast (formerly AT&T). Deputy Mayor Pro tem Stovall spoke to the tremendous job done by the Commission both past and present and stated that the next two years will provide changes in regulations. Mr. Ryan stated that the Commission will keep the Council apprised of the information.

Briefing Regarding Citizen Emergency Preparedness

Executive Director Glasscock spoke to Personal Preparedness in response to potential future terrorist attacks and stated that the City does not operate any designated public shelters for chemical or radiological incidents and that the home can offer adequate protection when properly prepared. He stated that the Federal Emergency Management Agency (FEMA) Guide is recommended for citizen preparedness.

Mr. Glasscock spoke to recent events and media attention and stated that staying home and taking shelter rather than evacuating is called "Sheltering in Place." He spoke to chemical and radioactive material dissipation, and thick walls of residences blocking harmful effects from these materials. Mr. Glasscock spoke to taking simple precautions to reduce exposure and to materials such as plastic sheeting and duct tape which could be used for "Sheltering in Place." He spoke to following simple rules like going inside immediately and closing all windows and doors, not going to schools to pick up children, listening for radio information, and further to not call 911 unless there is an immediate life-threatening situation. Mr. Glasscock stated that information has been posted on the City web site and included on the Police and Fire Departmental web sites as well. He stated that the Department of Homeland Security has launched the "Citizen Preparedness Campaign" and spoke to creating an emergency supply kit. Mr. Glasscock spoke to this program only slightly expanding existing current weather precautions that should already be in place.

Mr. Glasscock advised the Council that very general and generic guidelines are being received from the national government, and spoke to intelligence laws preventing national levels from sharing information with local law enforcement agencies. He advised the Council regarding the notification chain in conjunction with national guidance and stated that material which is to be provided to first responders is still on order and further spoke to cuts in *first responder* funding for local and state levels. Mr. Glasscock advised the Council that this information has been communicated to Senator Shapiro and that funding of Homeland Security measures at the local level for police and fire has fallen on the City. He advised the Council that citizens traveling through the City should seek shelter in the closest building in the event of an emergency.

Comprehensive Monthly Financial Report – January

Director of Finance McGrane presented the Comprehensive Monthly Finance Report for the month of January and reviewed revenues and expenditures year to date and stated that sales tax is still on a downward trend. He stated that single-family housing starts are leveling out, hotel/motel occupancy is up and further reviewed the portfolio diversification. Mr. McGrane spoke to health fund deficits, the Human Resources Department looking at these deficits, and further stated that the reporting format is new for this and that revenues and expenses have been broken out by the quarter.

Comprehensive Annual Financial Report – 2002

Director of Finance McGrane reviewed the Comprehensive Annual Financial Report for 2002 and spoke to new accounting rules adhered to in the report. He stated that under Gatsby 34 a longer financial outlook is provided and further that the City of Plano received a Clean Opinion from KPMG auditors. Mr. McGrane spoke to increases in net assets of governmental and business activities, a decrease in the total cost of operating all programs, and further spoke to the governmental fund balance increase.

Mr. McGrane stated that the City has again received notice of receipt of the Certificate of Achievement for Excellence in Financial Reporting for last year's documents. He stated that auditors recommended that health claim funds be monitored and that an analysis be done, spoke to the need of encumbered numbers needing purchase orders and stated that these carry-over items should be approved by the City Council instead of being approved administratively. Mayor Pro tem Dyer stated that KPMG has stated that of all the governmental entities they have dealt with, only one or two other entities are on par with the City of Plano. Mr. McGrane spoke to the excellent level of support from Staff.

Discussion Regarding School Crossing Guards at Frisco ISD, City of Plano

City Manager Muehlenbeck spoke to a request to begin a cost sharing arrangement for school crossing guards in the Frisco Independent School District (FISD) and the City of Plano area. He stated that the City of Plano is now paying 100% of the school crossing guards for the Plano Independent School District (PISD) due to TIF agreements and further that the FISD is not involved in any TIF agreements with the City of Plano. He spoke to differences in the cost paid by the FISD and the City/PISD for school crossing guards and further recommended offering to split the cost and to also picking up the administration of the crossing guard program. Mr. Muehlenbeck stated that this would require spending money this year due to different school year schedules and that a budgeted figure for next year of at least some \$32,000 will be needed.

Risk Manager Page advised that in this area there are currently two schools operating with a third due to open in the next school year for which eight new employees will be required. Mr. Muehlenbeck advised the Council that the City currently provides the FISD with stop signs, training, and vests for their crossing guards. He responded to the Council that the FISD is looking for assistance as soon as possible. Mr. Page responded to the Council regarding other school district school crossing guard programs and stated that program scenarios are all across the board. Council Member Roach spoke to doing core businesses with the City of Frisco and to not cutting back in the area of school crossing guards. After further discussion, Mr. Muehlenbeck advised he would come back with a recommendation to the Council.

Council Items for Discussion/Action on Future Agendas

Mayor Evans spoke to future Council discussion regarding a request by the Sister City group related to the status of Hsinchu City, Taiwan as an official Sister City. She recommended that discussion and direction be scheduled for April 7. Mayor Evans further recommended a future Council item regarding the TML position on proposed legislation to remove municipal annexation authority from cities.

Council Reports

Council Member Johnson spoke to attending an open house in a historic district and to how well the restoration of the home, which was slated for demolition, turned out. Council Member Stahel spoke to the excellent restoration of the inside of a neighboring house.

Council Member Stovall spoke to the North Texas Commission meeting and a report given on North Texas future funds and recommended that this information be provided on the City web site. He stated that a real change will be seen depending on what will be decided for this area. Mr. Stovall recommended that this be looked at and addressed at a future Council meeting.

Consent Agenda

City Manager Muehlenbeck stated that Consent Item "L" will remain on the Consent Agenda and further that the applicant has requested that Regular Item "1," Public Hearing and appeal regarding Zoning Case 2002-30 be removed from the agenda. He further stated that Regular Item "7" will remain in place. Deputy Mayor Pro tem Stovall and Council Member Stahel requested Consent Item "P", extension of existing agreement to extend software support services with PeopleSoft USA, Inc. be removed for individual consideration due to possible conflicts of interest.

Nothing further was discussed. Mayor Evans recessed the meeting at 6:55 p.m.

Pat Evans, **MAYOR**

ATTEST:

Elaine Bealke, City Secretary