

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
April 10, 2006**

COUNCIL MEMBERS

Pat Evans, Mayor
Scott Johnson, Mayor Pro Tem
Sally Magnuson, Deputy Mayor Pro Tem
Shep Stahel
Loretta Ellerbe
Harry LaRosilieri
Jean Callison

STAFF

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

Mayor Evans called the meeting to order at 5:10 p.m., Monday, April 10, 2006, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Member Stahel. 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, and to discuss Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:02 p.m. in the Council Chambers where the following matters were discussed:

**Consideration and Action Resulting From Executive Session Discussion:
Appointment to North Texas Municipal Water District Board**

Upon a motion made by Deputy Mayor Pro Tem Magnuson and seconded by Mayor Pro Tem Johnson the Council voted 6-0 to reappoint Alex Schell.

Discussion and Direction Regarding SH121 in Collin County

Mayor Pro Tem Johnson spoke to the upcoming Regional Transportation Council (RTC) meeting to determine policy on tolling certain roads to include roads in Denton and Collin County, identify toll rates and rate of increases upfront, over time, or both, and reviewed the SH121 tollroad funding scenario to date. He stated that the basics are that the state has no money for funding SH121 thus the need for revenues, spoke to excess revenues going to the entire Metroplex under new proposals from private developers, and stated that in his opinion going outside of the North Texas Tollroad Authority (NTTA) produces a Robinhood effect. He spoke to previous RTC policy of keeping revenues in the county where the roadways exist, and stated that private developers are now offering up front payment to the state.

Collin County Judge Harris spoke to the City of Frisco and their frustration with TXDOT and where things are headed, the upcoming RTC meeting and to postponing consideration of the Collin County portion of the roadway in order to allow for consideration of proposals being recommended, and further spoke to moving forward with the Denton County portion.

Collin County Commissioner Hatchell spoke to the RTC per mile toll rate proposal of 17 cents for peak hours, 12.5 cents for off peak hours and an average rate of 14.5 cents, and to standing behind the NTTA proposal of 12 per mile. He spoke to not delaying the process of moving forward with the roadway and concurred with the recommendation to briefly postpone the decision for Collin County while moving forward with Denton County and further spoke to the NTTA resubmitting their proposal.

City Manager Muehlenbeck spoke to concerns with tollroad fee differentials and penalizing drivers who must drive during peak hours. Mr. Hatchell spoke to going with a flat tollroad rate and to building a consensus within the region and needing more time to do this. The City Manager concurred with the recommendation of briefly removing the Collin County roadway portion off the table for consideration in order to allow for additional time to build a consensus within the region. Mr. Hatchell stated that most RTC members do not reside in a tollroad area and therefore are not aware of toll rates and their impact. Mr. Johnson spoke to the unusual situation of Plano having three tollroads with the addition of SH121.

The Council discussed what leverage Plano might have in negotiating terms for the SH121 tollroad. Mr. Hatchell spoke to the existing freeway designation for the Collin County portion of SH121 and to the requirement to change this designation to that of a tollroad if that is what is determined, stated that the official Mobility Plan for the Dallas/Fort Worth area is determined by the RTC, and further spoke to a provision where any one entity touching the roadway and representing an identified population percentage may then object to moving forward with the tollroad. He spoke to the NTTA putting together a proposal, not delaying things more than two to three months, and to withdrawing tollroad support should the issues not be worked out in the cities' favor.

Mayor Pro Tem Johnson spoke to continued support of Plano's resolution waiting for two to three months to work things out, and to having the road built as soon as possible for the least cost. Mr. Hatchell stated that if things can not be worked out at the upcoming RTC meeting, he will not vote in favor of a tollroad at this time.

City of Frisco Council Member Jim Joyner spoke to each city making their own decisions based on their unique situation, frustrations with Frisco not being heard, and to commitment in working things out with the RTC for a joint resolution to the problem. He spoke to sending a clear message to the RTC that there is a big difference between a user fee and a tax and to further asking that the RTC look at the citizens rather than an entire region.

Judge Harris spoke to looking for assistance from elected representatives, and to not blaming clean air initiatives for tollroads. City Engineer Upchurch stated that identified population percentage representation is based on the whole county and not just a section of the four cities. Mayor Pro Tem Johnson responded to Mr. Upchurch that he would not support an RTC draft resolution which is not in concurrence with the direction and recommendation of the City of Plano's resolution.

Council Items for Discussion/Action on Future Agendas

No items were brought forward.

Consent Agenda

No items were brought forward.

Council Reports

No reports were brought forward.

Nothing further was discussed. Mayor Evans adjourned the Preliminary meeting at 6:50 p.m.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, City Secretary