

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
April 24, 2006**

COUNCIL MEMBERS

Pat Evans, Mayor
Scott Johnson, Mayor Pro Tem
Sally Magnuson, Deputy Mayor Pro Tem
Shep Stahel
Loretta Ellerbe
Harry LaRosiliere
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
Elaine Bealke, City Secretary

Mayor Evans called the meeting to order at 5:10 p.m., Monday, April 24, 2006, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. 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, for which a certified agenda is not required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:01 p.m. in the Council Chambers where the following matters were discussed:

Consideration and Action Resulting From Executive Session Discussion:

No action was brought forward.

Plano Restaurant Owners and Greater Dallas Restaurant Association Meet and Greet

Greater Dallas Restaurant Association President Elect Blaise Hadley and members of the Association introduced themselves to the Council. Mr. Hadley spoke to being proactive in the community and to the restaurant industry as a private sector collectively being the largest in the nation.

DART Report

No report was given.

Mobility Report

Traffic Engineering Manager Neal advised regarding continuing work in revising the Police Department data base to utilize a wireless traffic reporting system, spoke to the Haggard Park Neighborhood Parking Plan coming forward for Council consideration, the Rainier Road (north of Spring Creek Parkway) Safe Streets project and speed cushion markings testing, and the Cumberland Trail and Seabrook Drive Plans for a permanent Safe Streets' program. He spoke to success with the zone one signal retiming project, traffic collision numbers being up with possible primary causes, and pedestrian and bicycle accident numbers and their possible causes. Mr. Neal responded to Mayor Evans that he will follow up on a request regarding resolving traffic issues resulting from cars double parking in front of the Douglass Center at H Avenue.

Comprehensive Monthly Financial Report

Finance Director McGrane presented the Comprehensive Monthly Finance Report for the month of March and stated that sales tax numbers are up, property and tax collections are doing well, and spoke to expenditure funds doing well. He spoke to unemployment staying the same, housing starts being down slightly from last year, stated that water revenues are up, hotel/motel tax numbers are the same, and further spoke to treasury pool equity and portfolio diversification.

Updates – Racial Profiling, 2005 Statistical Report

Chief of Police Rushin spoke to legislation that required law enforcement to develop a policy prohibiting racial profiling, subsequent education and reporting, and to criteria established and resulting data required. He spoke to determining whether the driving population is resident or non-resident and to this being a difficult task. Chief Rushin spoke to consent searches, searches by probable cause, the small number of racial profiling complaints filed with the professional standards unit, and the importance of analysis when working with retrieved data.

Chief Rushin spoke to performance measures for 2005 with the mission being to protect lives, prevent crime, and maintain law and order for the citizens. He spoke to partnership with the community being important along with a visual presence, and stated that crime rate, traffic safety, priority response time, and quality of service are performance measures to adhere to. Chief Rushin spoke to crime being down 5%, Texas city comparisons with Plano's crime rate being very low, and responded to the Council that speeding, running red lights, and failure to stop at stop signs are some of the major reasons for accidents. He stated that while no data exists regarding the impact on driver distractions, this no doubt causes many accidents.

Chief Rushin spoke to steps taken in preventing accidents, response time being critical, stated that random sample surveys were used in determining what the public perceives, spoke to false alarm responses, and to ongoing recruiting efforts.

Discussion Regarding Winter Quarter Averaging

Director of Customer and Utility Services Israelson stated that Winter Quarter Averaging determines consumption for residential customers only, that it is a calculated consumption and does not reflect the rate. He stated that Winter Quarter Averaging was adopted as a policy by the City in 2003 and that utility bills are calculated by using the three lowest bills from the winter month billings of December, January, February and March in order to calculate an average. Mr. Israelson stated that this program does encourage conservation and that this figure is recalculated each year. He stated that projections indicate that the current program will collect revenues in excess of what is required, the North Texas Municipal Water District is projecting a minimum of a 10% increase in sewer costs to the city next year, and further spoke to the proposal to move to a rolling three year average with the first step being to use a two-year average for this current year and further requested direction from the Council. Mr. Israelson responded to Mayor Evans that the two year average will realize a cost savings to the residents, even though there will be an increase to the residents based on drought circumstances. The Council concurred to support this program.

Discussion and Direction Regarding Public WiFi

Director of Information Technology Stephens spoke to Public WiFi, internet access for residents and businesses, and to a "request for offer" of a non-exclusive franchise agreement to provide broadband internet access. He stated that MetroFi Service met the needs of the request.

Vice President of Sales and Development Ben Safroni stated that no tax payer dollars are involved to build the network, spoke to a residential City wide blanket WiFi network for internet access, and stated that this is free of charge to all residents and visitors. He stated that the City can utilize the network to lower costs and improve efficiencies, and that other service providers currently operating in the city can plug in and continue to offer their services. Mr. Safroni spoke to the mechanics of offering the service, the installation of radio devices on light poles in the residential areas of the City, and stated that these networks have been built in other states. He stated that laptops which are mobile will have the ability to access the internet, this provides more choices to the residents, brings up percentages of internet access capability, revenue will be added to the City by employing workers, and further spoke to anticipation of the entire City being built up in the next twelve to eighteen months. Mr. Safroni responded to the Council that existing service which a resident might have in their home will not conflict with this new service and that home service is exclusive to the residence only. He further responded that another provider could plug in to the WiFi mechanics.

City Manager Muehlenbeck responded to the Council that a second provider would be required to meet the same standards and that he foresees no impact on the City's revenue stream if residents cancel their current internet service. The Council concurred to move forward with this request.

Discussion/Action on Future Agendas

No items were brought forward.

Consent Agenda

Council Member Stahel advised that he will be stepping down on Consent Item "L," resolution to approve a support and maintenance agreement with TriTech Software Systems, Inc. due to a possible conflict of interest.

Mayor Evans advised that she will be stepping down on a portion of Regular Item 1, Public Hearing and resolution to adopt the 2006-07 Action Plan of the Community Development Block Grant and HOME Program, and Regular Item 3, resolution to approve agreements with various community organizations for the expenditure of Community Development Block Grant funds due to possible conflicts of interest. (These items were subsequently tabled during the regular agenda and no vote was taken for designation of funding by the Council.)

Council Reports

Mayor Pro Tem Johnson advised that he attended the Regional Transportation Council meeting this month where parameters were set up for toll rates on S. H. 121 for a private development arrangement which will go out for bid. He stated that the City of Plano, Collin County, and a citizen representative from Dallas voted against the toll policy.

Mayor Evans convened directly into the Regular meeting at 7:08 p.m. No recess was taken.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, City Secretary