

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
MAY 29, 2007**

COUNCIL MEMBERS

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

Designation of Mayor Pro Tem and Deputy Mayor Pro Tem

Sally Magnuson, Mayor Pro Tem
Jean Callison, Deputy Mayor Pro Tem

STAFF

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

Mayor Evans called the meeting to order at 5:06 p.m., Tuesday, May 29, 2007, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member LaRosiliere arrived 5:10 p.m. and Council Member Callison arrived at 5:23 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 and discuss Litigation, 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 5:58 p.m. in the Council Chambers where the following matters were discussed:

Consideration and Action Resulting from Executive Session Discussion:

Personnel - Appointment of Directors (3) to Plano Health Facilities Development Corporation

Upon a motion made by Council Member Callison and seconded by Mayor Pro Tem Johnson, the Council voted 8-0 to appoint Deputy Mayor Pro Tem Magnuson and Council Members Ellerbe and LaRosiliere to the Plano Health Facilities Development Corporation.

Designation and Action for the Appointment of Mayor Pro Tem and Deputy Mayor Pro Tem

Upon a motion made by Council Member Ellerbe and seconded by Mayor Pro Tem Johnson, the Council voted 8-0 to name Deputy Mayor Pro Tem Magnuson as Mayor Pro Tem.

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Council Member Dunlap, the Council voted 8-0 to name Council Member Callison as Deputy Mayor Pro Tem.

Personnel Appointments - Animal Shelter Advisory Committee

Upon a motion made by Council Member Ellerbe and seconded by Deputy Mayor Pro Tem Callison, the Council voted 8-0 to appoint Jamey Cantrell.

Mobility Report

Transportation Engineering Manager Neal advised the Council regarding a restart of the alley bump petition process in the Glen Hollow area and a restudy of the need for a traffic signal at Plano Parkway and Nevada Drive. He spoke to the goals determined in 2001 with regard to traffic signal management to minimize traffic congestion and delay, foster improved air quality and be responsive to side street delays. Mr. Neal spoke to the City moving into a more mature operation and saturated conditions including vehicles waiting through multiple signal cycles. He spoke to applying different strategies including allowing for "time of day" signal timing and to minimizing traffic queues, signal cycle failures, blocked turn lanes and vehicles waiting over 25% of the cycle. He spoke to improving traffic throughput, congestion and air quality. Mr. Neal responded to the Council regarding pursuit of a "lead-lag" operation where left turns are allowed at the beginning and end of the cycle. He advised that Staff would review southbound Custer Road at Parker Road and responded regarding delays in vehicles moving through intersections.

DART Report

DART Board of Directors member Paulk spoke regarding strong ridership in Plano, additional parking planned for the Parker Road Station and a recent vote for fare increases. She spoke regarding construction of the line which will allow Plano residents to ride to the State Fair in September of 2009 and the upcoming opening of HOV lanes on US 75. Ms. Paulk expressed disappointment at the outcome of the Regional Transit Initiative. Council Member Stahel spoke to consideration of HOV lanes for hybrid vehicles.

Comprehensive Monthly Financial Report

Director of Finance McGrane spoke to inclusion of topical information in the monthly report including area lake levels and existing home values.

Mr. McGrane spoke to revenues being good with the exception of the Water and Sewer Fund and stated that most major funds are doing well on the expenditure side. He advised that unemployment is down considerably and spoke to housing starts averaging higher than last year with a slight drop in values. He spoke to receiving bond funds on June 6, 2007, and contact made with local institutions to ensure favorable rates of return.

Discussion and Direction Regarding Monitoring Stage 3 Water Restrictions

Director of Public Works Foster advised that Lake Lavon is now one foot over normal level, Lake Chapman remains low at 49% and Lake Texoma is 109% full. Mr. Foster advised regarding the increase in rainfall received this year over last at Lake Lavon and responded to the Council, stating that the release of water from Lake Lavon is determined by the Army Corp. of Engineers and that the top of the flood pool is 503 feet. He spoke to the City being in a water conservation mode with issues remaining including the level of Lake Chapman and permits being pursued by the North Texas Municipal Water District (NTMWD). Mr. Foster responded to the Council, stating that the City can provide assistance in pursuit of these permits by continuing to conserve water. He advised that there should be no affect on the amount of water received from Lake Tawakoni this year or next.

Mr. Foster spoke to saving over 3.1 billion gallons of water from June 1 through December 31, 2006 as compared to 2005 and to consuming 1.25 billion gallons less through the end of April in 2007 as compared to 2006. He spoke to an additional savings of 717 million gallons through the month of May. Mr. Foster spoke to staying under Stage 3 restrictions as they allow two days per week of watering, consideration of current reservoir storage and issues of water rights. He advised that the drawdown of Lake Lavon during the summer is four to five feet, and spoke to the wetter than normal spring and the forecast for normal rain over the summer. He reviewed the East Fork Raw Water Supply Project and the SRA Upper Basin Supply Project, spoke regarding the Lower Bois d'Arc Creek Reservoir and advised that the Marvin Nichols Reservoir has been approved by the legislature.

Council Member Stahel stated support for conservation and to consideration of allowing watering both mornings and evenings two days per week. Mr. Foster stated that this can be taken into account in the future and spoke to future review of the water conservation plan. He spoke to the current watering schedule allowing the maximization of efficiency in the system. Council Member Ellerbe spoke to the amount of water needed for lawns and to not backing off the current restrictions for the foreseeable future. Mr. Foster responded to Council Member LaRosiliere regarding the NTMWD'S level of water rights for area lakes and stated that the mechanics of how they draw from the sources is an operational issue for the district. He spoke to the pumping of water from Lake Chapman into Lake Lavon to conserve elevation and provide for more efficient use of treatment plants.

Council Member LaRosiliere spoke to possibly allowing the same time on permitted days to provide more effective use of resident watering systems. Council Member Johnson spoke to positive aspects of the current schedule and to expanding the time if the system would allow. Mr. Foster advised that the current schedule allows for increased flexibility in the system and that Staff could review the situation.

Private Water Wells

City Engineer Upchurch advised that this item is in response to Council's request for information regarding water wells and aquifers. Urban Water Program Coordinator of the Urban Solutions Center at Texas A&M University Cliff Wolfe advised that the primary indicator of water quality is Total Dissolved Solids (TDS) as a measurement of salinity. He stated that the groundwater quality of the Trinity Aquifer is acceptable for most municipal and industrial uses; some areas have natural concentrations of arsenic, fluoride, nitrate, sulfate and other salts; groundwater in the western outcrop area tends to be harder; and downdip water tends to be softer. He addressed water quality in the Woodbine Aquifer which is acceptable for most purposes, decreases in the downdip and deteriorates with depth.

Mr. Wolfe spoke regarding the Primary Groundwater Management Area (PGMA) study done by the Texas Commission on Environmental Quality (TCEQ) recommending the formation of Groundwater Conservation Districts (GCD) to protect and manage groundwater resources in the area. He spoke regarding the effects of salts on soil and to correction with improved drainage, leaching, reduced evaporation and application of chemical treatments. Mr. Wolfe spoke to options when utilizing saline water on landscape plants. He advised regarding key points: groundwater resources from either the Trinity or Woodbine Aquifers would not have a detrimental impact on surface water quality, PGMA's do not directly affect City ordinances; however one or more GCD's could be formed which are state appointed entities and could exempt any wells from permit requirements if exemptions are documented and rules set forth to implement the plan. Mr. Wolfe stated that GCD's can choose to exempt City boundaries from being included in their areas of jurisdiction and that most water wells drilled in the City would fall under the 25,000 gallon exemption. He spoke to recommendations that wells be tested a minimum of once yearly to monitor groundwater quality, soil samples be taken to monitor salinity levels and those drilling and operating private wells be educated on the long-term effects.

Mr. Wolfe responded to Council Member Ellerbe, stating that the GCD would be in charge of permitting and regulating wells. Mr. Upchurch responded to Mayor Evans, stating that there are some wells that have been drilled without a permit and spoke to issues of the quality of water and providing education regarding its use. He spoke to the use of wells lessening the impact on the water system, providing for a reduction in overall usage and providing an economic benefit for the property owner. Mr. Upchurch spoke to receiving a copy of the annual analysis of wells and not monitoring water usage. He advised that there are currently no provisions in the ordinance for revoking an existing permit. Mr. Upchurch advised regarding a location where plant life suffered and revisions made to remedy the situation.

Mr. Upchurch responded to Council Member Stahel, stating that state regulations govern the drilling of wells and the requirement that they be at least 50 feet from the nearest property line. He spoke to ensuring there are no cross-connections between the two systems so that well water will not feed back into the public system. City Manager Muehlenbeck spoke to cities in which the posting of a sign notifies City officials where wells are used for irrigation. Mr. Upchurch responded to Council Member Stahel, stating that there are no current restrictions prohibiting homeowners from forming a co-op for the use of well water.

Council Member Ellerbe spoke to those locations that do not have a municipal water district and depend on well water and to those in the City having adequate provisions. City Attorney Wetherbee spoke to the Council possibly removing itself from the approval process since these are not really discretionary permits. She responded to Council Member Ellerbe, stating that Staff has been looking at regulations in other communities regarding safety and conditions for revocation of wells. Mayor Evans spoke to bringing the item back and Mr. Upchurch advised that there may be more requests prior to reconsideration.

Mayor Evans convened the Preliminary Meeting directly into the Regular Meeting at 7:17 p.m. where remaining items were discussed.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, City Secretary