

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
September 25, 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
Lee Dunlap

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

Deputy Mayor Pro Tem Magnuson called the meeting to order at 5:06 p.m., Monday, September 25, 2006, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Mayor Evans and Mayor Pro Tem Johnson. Deputy Mayor Pro Tem Magnuson 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 to 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.

Deputy Mayor Pro Tem Magnuson reconvened the meeting back into the Preliminary Open Meeting at 6:06 p.m. in the Council Chambers where the following matters were discussed:

Consideration and Action Resulting From Executive Session Discussion

Personnel Appointments/Reappointments

DART Board of Directors

Upon a motion made by Council Member Stahel and seconded by Council Member Ellerbe, the Council voted 6-0 to reappoint Faye Moses Wilkins as Shared Representative.

Personnel/Appointments/Reappointments

Animal Shelter Advisory Committee

Upon a motion made by Council Member Ellerbe and seconded by Council Member Callison the Council voted 6-0 to appoint Paula McCracken as the Animal Shelter/Plano Animal Services Manager.

Plano Housing Authority

This item was deferred.

Plano Transition and Revitalization Commission

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Dunlap the Council voted 6-0 to appoint Marty McGee.

Retirement Security Plan Committee

At the recommendation of City Manager Muehlenbeck and upon a motion made by Council Member Dunlap and a second by Council Member Stahel the Council voted 6-0 to name Ron Timmons as Chair.

Senior Citizens Advisory Board

Upon a motion made by Council Member Dunlap and seconded by Council Member Callison the Council voted 6-0 to name Mary Jane Ketcham as Chair.

Patriotic Etiquette Presentation

Dick Belmore of the VFW Post Casey Joyce advised the Council regarding patriotic flag etiquette, spoke to the importance of proudly and respectfully representing the nation, and handed out information to the Council regarding his presentation.

North Texas Municipal Water District Report

North Texas Municipal Water District (NTMWD) Executive Director Jim Parks addressed the Council regarding ranges of drought intensity, seasonal outlook, records in previous years, various lake levels and corresponding deficits, and issues with evaporation. He stated that the area water supply comes from Lake Lavon in Collin County, Lake Texoma in Northern Grayson County between Texas and Oklahoma, and Jim Chapman Lake located between the Delta and Hopkins County line.

Mr. Parks spoke to current Lake Lavon levels and stated that a lake goes into a drought condition the moment it drops below the full level. He stated that it has been seventeen months since Lake Lavon has been full, forty-one months for Lake Chapman, and 20 months for Lake Texoma. Mr. Parks spoke to conservation efforts, water consumption rates, rain events, and to drought planning stages. He spoke to stabilization levels, water use rights for the lakes, pumping strategies from one lake to another, the District's Master Plan projects, multiple strategies and implementation schedules, and to water supply projects. Mr. Parks stated that Conservation, Upper Sabine Basin Supply and East Fork Raw Water Supply projects will add 154,000 acre-feet of water to the supply, and further that Interim DWU Supply, Additional Wilson Creek Supply, Additional Lavon Yield and Interim GTUA Supply projects will together add 45,000 acre-feet of water to the supply realizing the equivalent of two Lake Lavons. He reviewed the particulars of the projects, costs involved, and time frames for completion. Mr. Parks spoke to problems with building a lake in Texas, and to relying on the Toledo Bend Lake water supply even though it is very expensive water and a long distance away.

Council Member Stahel spoke to the seven year period of time that it takes to complete the permitting process for the building of a lake and to this being excessively long. Mr. Parks spoke to other projects taking equally as long to complete and stated there is no finite time frame within the existing process, and further spoke to the need for a more expedient process. He spoke to forwarding a "white paper" list of applicable issues to the Council with potential dialogue forthcoming, and responded to the Council regarding the period of time for filling a lake and stating that it depends on rain fall weather patterns and needing four and five inch rains falling one week to ten days apart.

Council Member LaRosiliere spoke to the immediate future and to the possibility of going to Stage Four of the Drought Plan. Mr. Parks spoke to reduction calculations to stabilize the situation, allocating supply and conservation efforts and strategies that can be adopted and followed by the member cities, and to not affecting businesses who depend on water usage. He spoke to the probabilities of continuing the existing stage through the winter and to protecting the water supply. Mr. Parks responded to the Council that use of Lake Texoma requires demineralization and blending with Lakes Lavon and Cooper, and further spoke regarding costs of other ground water supply projects being two and one-half times the normal cost of delivery. He responded to the Council regarding drought periods and to the current drought becoming the new benchmark as the drought of record, and stated that if NTMWD planning and forthcoming statements do not include and identify conservation for this time period, the laws existing today will not extend a permit to the District. Mr. Parks responded that development is moving forward in addressing the existing drought and expediting water supply sources for corporations wishing to locate in Plano. He responded regarding gray water being fed back into the system and to waste water plants discharging flow into nearby Texas lakes. He further responded that dredging land that is currently dry is being done mainly for maintenance operations and spoke to changing the operating elevation of the lake as a means to increase lake volume.

Mr. Parks responded to City Manager Muehlenbeck that all member cities are following the requirements to some degree, with the biggest problem being consistency. He stated that each city is following some form of the plan within Stage Three. Mr. Parks responded regarding cities meeting the 5% reduction under Stage Three and to this being calculated on an annual average for the entirety of the district and not broken down by cities. City Manager Muehlenbeck spoke to having a problem with an accelerated stage three for Plano's citizens who have more than met the requirements for conservation when there are some cities who have not followed the one day per week watering recommendations when there is even more talk of implementation of additional restrictions and to this being a question of equity. He stated that he realizes that Plano uses 25% of the water, spoke to being diligent in reducing this in the community, and to there being no incentive for further reduction when the comparison is made to other communities. Mr. Muehlenbeck asked that more attention be given to this fact.

Mr. Muehlenbeck spoke to his disappointment in the take-or-pay study done and to consideration of alternatives, and further spoke to refinancing of debt occurring that will impact Plano and asked if the two finance departments might look into this. Mr. Parks spoke to conservation efforts and to inequities that appear to be there from city to city, and to the thirteen member cities making the 5% reduction. He spoke to difficulties in compliance and to working together to get through the drought and stated that the surest way to make the program fail is to do thirteen different things. Mr. Parks stated that if the water supply continues to diminish, the only true action to be taken is to allocate the supply. He spoke to the take-or-pay contract and to taking any proposal that the City might have to the Board. Council Member Stahel spoke to concurrence and to possibly adjusting the take-or-pay contract to encourage conservation as a way of life and not just a problem to be solved when there is a drought. Council Member Dunlap spoke to the dilemma of building a city based on water to be consumed if this information is not known. Mr. Parks spoke to the percentage of conservation reduction not being a clear number to be calculated and to other factors regarding industry, population numbers, and to assessments made as to what the 5% level actually is.

Deputy Mayor Pro Tem Magnuson convened the meeting directly into the Regular Meeting at 7:10 p.m. where remaining items were discussed.

Sally Magnuson, Deputy Mayor Pro Tem

ATTEST:

Elaine Bealke, City Secretary