

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
OCTOBER 22, 2007**

COUNCIL MEMBERS

Pat Evans, Mayor
Sally Magnuson, Mayor Pro Tem
Jean Callison, Deputy Mayor Pro Tem
Shep Stahel
Scott Johnson
Loretta Ellerbe
Harry LaRosiliere
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
Diane Zucco, City Secretary

Mayor Pro Tem Magnuson called the meeting to order at 5:05 p.m., Monday, October 22, 2007, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Mayor Evans. 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 discuss Litigation, Section 551.071, to discuss Personnel, Section 551.074 and to discuss Economic Development, Section 551.087 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Pro Tem Magnuson reconvened the meeting back into the Preliminary Open Meeting at 6:13 p.m. in the Council Chambers where the following matters were discussed:

**Consideration and Action Resulting from Executive Session Discussion:
Personnel Appointments**

Planning and Zoning Commission

Upon a motion made by Council Member Johnson and seconded by Council Member Ellerbe, the Council voted 7-0 to appoint Beth Weingarden to a one-year term as a member.

Retirement Security Plan Committee

The Council deferred discussion of this item.

Personnel Appointments

Transportation Advisory Committee

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Deputy Mayor Pro Tem Callison, the Council voted 8-0 to appoint Arnold Picon as a member.

Discussion and Direction Regarding NLC Voting Delegate and Alternate

City Manager Muehlenbeck spoke to the recommendation of Council Member Johnson as voting delegate. Upon a motion made by Council Member Stahel and seconded by Council Member Dunlap, the Council voted 7-0 to concur with the recommendation of Council Member Johnson as the City of Plano voting delegate to NLC.

Presentation & Update on UTD Programs

Dr. David E. Daniel, UTD President, spoke to the history and vision for the university to develop bright minds and compete both nationally and globally. He spoke to the school starting as a graduate institute and the admission of freshmen in 1990, current enrollment of 15,000 with 80% of students earning degrees in the sciences, engineering and business. Dr. Daniel spoke to focusing on high-quality students, offering more than 150 degrees and providing skills for cities including the Certificate in Local Government Management program. He spoke regarding the arts and technology programs, outstanding faculty and alumni and recognition of the school in the areas of engineering and business. Dr. Daniel spoke to the school having national chess champions, most collegiate cheerleaders and stated that almost one-half of the degrees are awarded to those who are the first in their family to do so. He spoke regarding celebrating community with partnerships, family day and various children's camps.

Mr. Daniel spoke regarding the mission and vision of UTD to become one of the nation's best research universities and to the economic impact of successful universities. He spoke regarding increased research funding, additional faculty and students and reviewed new facilities and construction planned to make the campus a destination. Dr. Daniel spoke to the university continuing to grow, seeding new businesses, spreading cultural and artistic development and attracting people. He further thanked the Council and presented a photograph of the new National Science and Engineering Research Lab.

Personnel Appointments

Cultural Affairs Commission

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Council Member LaRosiliere, the Council voted 7-0 to appoint Christopher Griffith as Chair.

DART Report

DART Board Representative Paulk spoke regarding the budget approved in October, fare increases and Public Hearings planned regarding service changes which will address route duplication and opportunities for realignment. She spoke to meetings held with the City Manager and key Staff regarding topics including the status of the Parker Road Station and fund application for structured parking, funding for construction at the West Side Park and Ride, double-tracking along the Cottonbelt, and senior transportation needs. Ms. Paulk spoke to DART's use of input from City Staff regarding current and projected senior needs to assess the feasibility of on-call services. She advised that there is no activity to report at this time regarding legislation.

Discussion and Direction Regarding NLC Voting Delegate and Alternate

Upon a motion made by Council Member Dunlap and seconded by Council Member LaRosiliere, the Council voted 7-0 to name Council Member Stahel as the alternate voting representative for NLC.

North Texas Municipal Water District Contract Options

Executive Director of the North Texas Municipal Water District (NTMWD) Jim Parks addressed the Council regarding review of the current rate methodology and possible amendment to the water contract. He advised that amendment of the contract would have three steps: a simple majority of the board of directors to authorize an amendment to be prepared; unanimous approval of all thirteen member cities; and depending on the type of amendment, a 51% approval of holders of current outstanding debt.

Mr. Parks advised that a consultant has reviewed ten possible amendments and stated that the impact of each varies for each City and can vary over time. He spoke to amendment being acceptable to the administrative staff from the standpoint of operation and the challenge of reaching a consensus by member cities. Mr. Parks spoke to the contract being in place over fifty years, the growth of cities over time, concerns regarding equity and providing information to the cities.

Mr. Parks responded to the Council, stating that new debt going forward could be referenced in any amendment and Council Member Johnson spoke to those with new debt having no vote on future contract changes so long as the result is revenue neutral. Mr. Parks advised that financing is done through revenue bonds sold on the open market and that no cities themselves are bond holders and regarding the savings to Plano under some of the scenarios. He responded to the Council, stating that there is not a consensus among the member cities and regarding the issues of equity. Council Member Stahel spoke regarding conservation being an important ingredient in going forward and Mr. Parks spoke regarding member cities setting new maximum annual demands in 2006 and to the lack of incentive for conservation.

Council Member Johnson spoke to cities being penalized for conservation efforts, the contract being out of date and the possibility the state may change it. City Manager Muehlenbeck advised that the City was 8 billion gallons short of the take-or-pay contract during water rationing/increased rainfall. Council Member Ellerbe spoke to looking at providing for the needs of the population today as well as in the future and regarding consideration of an alternative to address conservation needs. City Manager Muehlenbeck stated that eight member cities have indicated they do not want an amendment and are concerned with current conditions. Mr. Parks spoke to encouraging cities to look towards their maturity and to his reporting and reacting to a board of directors appointed by member cities. Council Members Stahel and Ellerbe spoke to requesting cities provide information regarding projections.

Council Member Johnson spoke to providing written information to the NTMWD Board and other member cities regarding conservation purposes, inequities of penalties for conserving water and possible intervention of the state and Deputy Mayor Pro Tem Callison spoke in support. Mr. Johnson spoke to the district providing low water rates as compared to others in the area.

Mayor Pro Tem Magnuson convened the Preliminary Meeting directly into the Regular Meeting at 7:01 p.m. where remaining items were discussed.

Sally Magnuson, Mayor Pro Tem

ATTEST:

Diane Zucco, City Secretary