

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
June 28, 2010**

COUNCIL MEMBERS

Phil Dyer, Mayor
Lee Dunlap, Mayor Pro Tem
Pat Miner, Deputy Mayor Pro Tem
Ben Harris
André Davidson
Lissa Smith
Harry LaRosiliere
Jean Callison

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Deputy City Manager
Bruce Glasscock, Deputy City Manager
Mark Israelson, Assistant City Manager
LaShon Ross, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 5:07 p.m., Monday, June 28, 2010, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Member LaRosiliere. Mayor Dyer 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/Litigation, and to receive information regarding 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 Dyer reconvened the meeting back into the Preliminary Open Meeting at 6:17 p.m.

Consideration and action resulting from Executive Session discussion:

No items were brought forward.

Discussion and Direction Regarding K2

Police Chief Rushin spoke to the recent popularity of K2 which is sold as incense and smoked by users. He advised regarding active ingredients, availability, effects and officer contacts with subjects believed to be under the influence. Chief Rushin spoke to the use of Salvia, its effect and availability. He reviewed state legal initiatives addressing the products, and proposed ordinances in other area cities.

Chief Rushin spoke to considerations when crafting an ordinance including the lack of state field or lab tests, penalties, and lack of consistency state-wide. He spoke to the current strategy of utilizing existing laws, working with the state and private labs to develop testing procedures, providing officer/citizen education, supporting state legislative efforts and incident monitoring.

Chief Rushin responded to Council Member Smith, stating that without an ordinance, sales cannot be controlled and that enforcement is difficult without lab tests. City Attorney Wetherbee advised regarding the difficulties in prosecution without confirmation, spoke to the cost and complexity of developing tests and stated that she would bring forward additional information regarding other area proposed ordinances and enforcement options.

Presentation by North Texas Municipal Water District Board

North Texas Municipal Water District Executive Director Jim Parks provided an operational status report of the services provided to Plano including the sources of water and their levels, the impact of zebra mussels on algae growth, planning for water use and capacity, continuing efforts to obtain permits for construction of a new reservoir in Fannin County, and updates to the state water plan. He spoke to conversion of water treatment from chlorine to ozone with completion in 2014 at an estimated cost of \$160 million and the impact to the water rate for construction and operating costs. Mr. Parks spoke to the District's wholesale price being the lowest in the area, reviewed the wastewater system condition and assessments and spoke to an anticipated net zero increase in cost. He advised regarding increases in solid waste costs as a result of fuel cost and debt service and responded to the Council regarding the addition of a fourth transfer station.

Discussion and Direction Regarding Masonic Cornerstone Program for Municipal Buildings

Deputy Mayor Pro Tem Miner spoke to consideration of a *Masonic Cornerstone Program* for municipal buildings at no cost to the City reflecting the history of masonry construction. City Manager Muehlenbeck advised that currently only the Municipal Court has a cornerstone in place. The Council discussed implementation on a case-by-case basis. Upon a motion made by Deputy Mayor Pro Tem Miner and seconded by Council Member Davidson, the Council voted 7-0 to bring individual requests forward to the Council for consideration.

Discussion and Direction Regarding Live Green in Plano Calendar

Director of Sustainability & Environmental Services Nevil spoke to calendars providing information to citizens regarding services, events, and schedules and reducing the number of telephone calls to the department. Council Member Harris spoke to budget constraints and Mayor Dyer spoke to providing a limited number at public locations rather than mailing to all households. City Manager Muehlenbeck spoke to printing 20,000, watching the response for a year and reporting back to the Council. Ms. Nevil spoke to providing additional utility bill flyers and promotion on the web site.

Council items for discussion/action on future agendas

Mayor Dyer spoke to further consideration of information regarding K2.

Consent and Regular Agendas

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting directly into the regular session at 7:11 p.m.

Phil Dyer, Mayor

ATTEST:

Diane Zucco, City Secretary