

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
January 23, 2012**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Pat Miner, Mayor Pro Tem  
Lissa Smith, Deputy Mayor Pro Tem  
Ben Harris  
André Davidson  
James Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 5:08 p.m., Monday, January 23, 2012, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. 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 and discuss Litigation, Section 551.071; 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 6:01 p.m.

**Consideration and action resulting from Executive Session discussion**

No items were brought forward.

**Water Restriction Update**

Director of Policy and Government Relations Israelson spoke regarding the coordinated efforts between Public Works, Public Information, Sustainability and Environmental Waste and Customer and Utility Services in implementing Stage 3 Watering restrictions on November, 1, 2011. He spoke regarding magnetic signage for City vehicles, website updates, meetings with the school district, utility bill information, Plano Television Network videos and courtesy warnings. Mr. Israelson advised that the total cost thus far has been \$31,786 and spoke to patrol efforts and compliance. He reviewed the level of compliance by the City of Plano, reservoir levels/triggers for each stage, and overdraft rights for Lake Lavon. Mr. Israelson responded to the Council, advising that without two negative tests for zebra mussels, water cannot be pumped from Lake Texoma. He advised that water district staff recommends consideration of Stage 4 in May 2012, reviewed further restrictions and spoke to making a request that the water district fund rebates for cities to encourage conservation projects.

City Manager Glasscock responded to the Council regarding the district's options to ensure compliance from municipalities and Plano's projected losses in Stage 4 of \$20 million in revenue, \$9 million in additional expenses plus the cost of district projects and rate increases. Deputy Mayor Pro Tem Smith requested Staff express concerns to the North Texas Municipal Water District Board regarding those entities that are not doing their part to conserve. Council Member Harris requested information regarding the impact of East Fork Interceptor Project and Mr. Glasscock advised that the water district will be requested to bring additional information forward at the next Council Meeting. Mr. Israelson spoke to the presence of zebra mussels in Lake Lavon and advised that water from this source is directly pumped through filtering without additional transport. Mr. Glasscock spoke to additional liabilities related to the Lacey Act should the district transport the mussels downstream from Lake Texoma. North Texas Municipal Water District Board Member Yancey advised that the board will meet on January 26 and spoke to efforts to purchase raw water from other entities.

### **DART Report**

Dart Board Representative Loretta Ellerbe stated concern regarding the extent of service provided at the Jack Hatchell Park & Ride, advised she would gather information on proposals and spoke to service reductions on bus routes when ridership is down. She responded to Council Member Dunlap, advising that proposed services in non-DART entities will not result in a transfer of equipment and advised regarding the board's position that those outside the system will pay the full, unsubsidized costs. Ms. Ellerbe spoke to the opening of the Northwest Plano Park & Ride in July 2012, anticipation of reverse commuters to Legacy Town Center and implementation of paid parking demonstrations at the Parker Road and N. Carrollton-Frankford Stations. She spoke to potential changes to paratransit services through a new contract reducing subsidies and offering services with smaller vehicles.

### **Comprehensive Monthly Financial Report**

Director of Finance Tacke advised that the December 2011 report finds General Fund revenues up slightly as a percentage of budget as compared to last year while Water and Sewer revenues are down slightly. She stated that actual General Fund revenues are up \$7.3 million, primarily due to an increase in ad valorem taxes and an increase in sales tax resulting from an audit adjustment. Ms. Tacke advised that General and Water & Sewer Fund expenditures are up slightly as a percent of budget, spoke to increases in both Municipal Drainage revenues and expenses, and advised that the unemployment rate is down to 6.3%.

### **Personnel: Appointment – Cultural Affairs Commission**

Upon a motion made by Council Member Gallagher and seconded by Council Member Davidson, the Council voted 8-0 to appoint Lisa Foster to an interim term.

### **Car Allowance Update**

City Manager Glasscock spoke to car allowances traditionally used to: subsidize employee expenses incurred by using their own personal vehicles while conducting City business; avoid having to increase the City's fleet size; and negotiate for certain executive positions. He spoke to recommendations effective February 13, 2012, which include establishment of three categories of car allowances: 1) Executive/Department Heads; 2) Field Personnel; and 3) Civil Service Management and advised that allowances will be reviewed annually and approved by the City Manager. Mr. Glasscock further stated that employees not falling into one of the above categories will have their current allowance rolled into their base salary (immediate reduction of 36 allowances with an additional 9 upon attrition of current person in the position) and will not be eligible for mileage reimbursement unless they can provide documentation that shows actual mileage exceeds the amount of their annual allowance. He advised that Staff who receives a car allowance will not be eligible for mileage reimbursement unless, when travelling overnight, the cost of driving is less than the cost of an airline ticket; and stated that while there are no expected immediate budget savings from these modifications, over time and through attrition, an annual reduction of \$176,000 from current compensation packages is anticipated. The Council indicated concurrence with the recommendation.

### **Council items for discussion/action on future agendas**

No items were discussed.

### **Consent and Regular Agendas**

No items were discussed.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:48 p.m.

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**Phil Dyer, MAYOR**

ATTEST

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL**  
**January 23, 2012**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Pat Miner, Mayor Pro Tem  
Lissa Smith, Deputy Mayor Pro Tem  
Ben Harris  
André Davidson  
James Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, January 23, 2012, at 7:01 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Reverend Michael Boone of Christ Church Plano led the invocation and Cub Scout Pack 25, Den 1 of Custer Road United Methodist Church led the Pledge of Allegiance.

**COMMENTS OF PUBLIC INTEREST**

Citizen Chuck Newsom stated concern regarding the requirements to have backflow prevention when utilizing creek water for landscape irrigation. City Manager Glasscock spoke to State regulations and advised that Staff will respond to Mr. Newsom and provide further information to the Council.

**CONSENT AGENDA**

Citizen Jack Lagos requested that Consent Agenda Item "I" be removed for individual consideration.

Upon a motion made by Council Member Harris and seconded by Deputy Mayor Pro Tem Smith, the Council voted 8-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item "A")  
January 9, 2012

## **Approval of Expenditures**

### **Purchase from an Existing Contract**

To approve the purchase of fitness replacement equipment for the City of Plano Recreation Centers in the amount of \$217,760 from Fitco Fitness Center Outfitters through an existing contract with BuyBoard; authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 336-10) (Consent Agenda Item “B”)

To approve the purchase of Bulk Fuel to be utilized by Fleet Services in an estimated amount of \$240,000 from Douglass Distributing Company through an existing contract/agreement and any subsequent renewals with Tarrant County, and authorizing the City Manager to execute all necessary documents. (Tarrant County Contract #2010-046) (Consent Agenda Item “C”)

### **Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)**

To approve a Professional Services Agreement by and between the City of Plano and Utility Service Partners Private Label, Inc., d/b/a Service Line Warranties of America, for a non-exclusive license to use the City’s name and logo to advertise a utility service line warranty program, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

### **Approval of Contract Modification**

To approve a modification of Contract 2005-15-C with Redflex Traffic Systems, Inc. for the Red Light Camera Enforcement Program for the Police Department, to extend the length of the contract through April 30th, 2012 pursuant to the same terms and conditions, in an amount not to exceed the revenue. (Consent Agenda Item “E”)

### **Approval of Expenditure**

To approve the purchase of Air Conditioning Units Replacement at Schimelpfenig Library in the amount of \$137,200 from Trane through an existing contract and authorizing the City Manager to execute all necessary documents. (TXMAS Contract Number 8-03FAC020) (Consent Agenda Item “F”)

### **Adoption of Resolutions**

**Resolution No. 2012-1-4(R):** To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas, the City of McKinney, Texas and City of Frisco, Texas for participation in the Homebuyer Education Classes to provide an educational program for individuals attempting to purchase homes in each municipal jurisdiction; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “G”)

**Resolution No. 2012-1-5(R):** To approve the terms and conditions of a service agreement for Maintenance Support Services by and between the City of Plano and Affiliated Telephone, Inc., the sole source provider for all hardware, software, and services pertaining to the Vesta-Meridian 9-1-1 system, in an amount not to exceed \$144,262; authorizing its execution by the City Manager and providing an effective date. (Consent Agenda Item “H”)

**Resolution No. 2012-1-6(R):** To adopt the First Amended Policy Statement for Tax Abatement of the City of Plano thereby establishing criteria for evaluating incentive applications; establishing procedural guidelines and criteria governing tax abatement agreements; and providing an effective date. (Consent Agenda Item “J”)

**Resolution No. 2012-1-7(R):** To approve the settlement of the lawsuit styled Billy Horton, Robert Morris, Robert Prunty, Alan Spurgin, David Ratcliff, and Sam Bigham, individually and on behalf of similarly situated individuals v. City of Plano, Civil Action No. 4:10-cv-372, United States District Court, Eastern District of Texas, Sherman Division in the amount of \$554,333.00; authorizing the City Manager to execute any and all documents necessary to settle such lawsuit; and providing an effective date. (Consent Agenda Item “K”)

#### **Adoption of Ordinances**

**Ordinance No. 2012-1-8:** To transfer the sum of \$554,333 from the General Fund unappropriated fund balance to the General Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for a settlement of a lawsuit between Billy Horton, Robert Morris, Robert Prunty, Alan Spurgin, David Ratcliff, and Sam Bigham, individually and on behalf of similarly situated individuals v. City of Plano, Civil Action No. 4:10- cv-372, United States District Court, Eastern District of Texas, Sherman Division; amending the Budget of the City and Ordinance No. 2011-9-8, declaring this action to be a case of public necessity; and providing an effective date. (Consent Agenda Item “L”)

#### **END OF CONSENT**

**Resolution No. 2012-1-9(R):** To accept the findings and opinions of the Annual Audit; authorizing the City Manager, or in his absence the Director of Finance, to publish the results thereof; and providing an effective date. (Consent Agenda Item “I”)

Citizen Jack Lagos requested clarification regarding advisory fees paid and losses in the area of *Pension and Other Postemployment Benefits Trust Funds Net Assets*. Director of Finance Tacke advised that this fund is comprised of the Retirement Security Plan Pension Trust and the Postemployment Benefits 115 Trust and include monies which are withheld from employee checks or contributed on behalf of employees and held in trust. She advised that the figures represent the fair value of the investment as of year’s end and spoke to committee oversight of the funds, objectives and portfolio diversity with monies in both equities and bonds. Ms. Tacke responded to Mr. Lagos, clarifying that these funds are not subject to the Public Funds Investment Act, but are fiduciary in nature and held in trust.

Upon a motion made by Council Member Harris and seconded by Mayor Pro Tem Miner, the Council voted 8-0 to accept the findings and opinions of the Annual Audit and to adopt Resolution No. 2012-1-9(R).

**Public Hearing and adoption of Ordinance No. 2012-1-10** as requested in Zoning Case 2011-37 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 29.4± acres located at the northeast corner of Parker Road and Jupiter Road in the City of Plano, Collin County, Texas, from Agricultural to Patio Home; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Meaders-Hale, Ltd. (Regular Agenda Item “1”)

Planning Manager Firgens reviewed the surrounding land uses, advised that the request is in conformance with future land uses and the infill housing policy statement and that the Planning and Zoning Commission recommended approval as submitted.

Mayor Dyer opened the Public Hearing. Jim Douglas of Douglas Properties, representing the applicant, spoke to plans for the site and requested approval. No one spoke for or against the request, the Public Hearing was closed.

Upon a motion made by Mayor Pro Tem Miner and seconded by Council Member Gallagher, the Council voted 8-0 to rezone 29.4± acres located at the northeast corner of Parker Road and Jupiter Road in the City of Plano from Agricultural to Patio Home; as requested in Zoning Case 2011-37 and as recommended by the Planning and Zoning Commission and further to adopt Ordinance No. 2012-1-10.

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:29 p.m.

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**Phil Dyer, MAYOR**

ATTEST:

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL  
SPECIAL CALLED WORKSESSION  
January 30, 2012**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Pat Miner, Mayor Pro Tem  
Lissa Smith, Deputy Mayor Pro Tem  
Ben Harris  
André Davidson  
James Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Special Called Worksession on Monday, January 30, 2012, at 5:31 p.m., in the Building Inspections Training Room of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Discussion, Direction and Action Regarding Review of City of Plano Vision, Mission, Strategic Plan, Goals and Core Businesses, including Council Governance Roles and Responsibilities

Ron Holifield of Strategic Government Resources, facilitated the worksession, and spoke to the importance of rhythms of success, predicting and delegating, a strong culture and strategic thinking versus execution and planning. Council Member Dunlap spoke to legal restrictions in place for governmental entities. Mr. Holifield spoke to similarities in the responses received by the Plano Convention and Visitor's Bureau during its branding exercise when evaluating Plano's character/culture as compared to the input from Council and Staff. City Manager Glasscock spoke to similar comments from the school district. Mr. Holifield reviewed the major themes and trends received from the Council in their pre-retreat interviews.

After discussion, the Council stated a consensus to affirm the *Six Pillars for Plano's Vision* that form the foundation of Plano's strategic vision:

- A diverse international and emerging urban city and metropolitan center
- A multifaceted city which meets the needs of its citizens to work, live and play here
- A city known for very high quality city services
- A city of vibrant and renewing neighborhoods
- A city of business and enterprise of national and international importance
- A city that partners with a variety of educational institutions to support and encourage exceptional quality of education at all levels

The Council stated a consensus to affirm the *Twelve Reputational Drivers* critical in making the above strategic vision a reality:

- THE place to live
- A place that values and expects excellence
- High quality of life
- A progressive city
- Excellent schools
- Home to major corporations
- Broad variety of desirable housing
- Easy access to the entire region and to jobs
- Employment Center
- Family oriented
- A destination location
- Reestablished identity

The Council stated a consensus to affirm the *Eight Operational Drivers*:

- Exceptional quality city services
- A well maintained community that has a very attractive appearance
- A safe city
- Highly professional staff
- A high quality customer service orientation
- High quality and ample parks and green space
- Successfully transitioning into a mature city
- Innovative programs and solutions

The Council reviewed and stated a consensus to affirm the *Eight Strategic Goals*:

- Enhance Operational Analysis and Effectiveness
- Protect and Sustain the Quality of Governance
- Affirm and Reinforce Plano's Commitment to Being the Best
- Improve Communications
- Enhance Plano's Role as a Regional Leader
- Evaluate Options for Revitalizing Collin Creek Mall
- Evaluate Options for the future of Plano Centre and The Arts Center of North Texas
- Strengthen the Working Relationship with our Educational Partners

Mr. Holifield spoke to a planned Staff retreat, development of an execution plan and the dynamic nature of the process. Nothing further was discussed. Mayor Dyer adjourned the meeting at 6:34 p.m.

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**Phil Dyer, MAYOR**

ATTEST:

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Diane Zucco, City Secretary