

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
February 22, 2010**

**COUNCIL MEMBERS**

Phil Dyer, Mayor  
Harry LaRosiliere, Mayor Pro Tem  
Lee Dunlap, Deputy Mayor Pro Tem  
Pat Miner  
Ben Harris  
Mabrie Jackson (resigned)  
Lissa Smith  
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 5:05 p.m., Monday, February 22, 2010, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Mayor Pro Tem LaRosiliere arrived at 5:28 p.m. 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, Section 551.071, discuss Personnel, Section 551.074; 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 5:47 p.m.

**Consideration and action resulting from Executive Session discussion: Personnel  
Appointments**

Board of Adjustment

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Miner, the Council voted 7-0 to appoint Carolyn Kalchthaler as a regular member and James Mack Craft, Jr. to an interim term as an alternate (expires October 2011).

## **Personnel Appointments**

### Retirement Security Plan Committee

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Miner, the Council voted 7-0 to appoint Casey Srader as an interim member (expires October 2011) as recommended by City Manager Muehlenbeck.

## **Discussion and Direction Regarding Contributions to Arts/Historic Preservation Organizations**

City Manager Muehlenbeck spoke to state law authorizing cities to provide up to 15% of hotel/motel taxes collected to support the arts and 15% for historic preservation and referenced studies related to the possible expansion of the current Plano Centre or construction of a new facility at another location. He spoke to the decline in hotel/motel tax receipts and discussion of reducing the funding of arts/historic preservation in order to establish a fund related to a convention center. Mr. Muehlenbeck spoke to the City's commitment to the arts including the Arts of Collin County and to development of a "challenge grant" for groups requesting funding. Director of Planning Jarrell advised that the Heritage Commission makes determinations in June for recommendation to Council and Council Member Callison spoke to the Cultural Affairs Commission receiving presentations on May 6.

City Manager Muehlenbeck spoke to funding this year for arts/historic preservation in the amount of \$563,000 based on reduced revenues and utilizing one-third of an anticipated \$600,000 in revenues in 2010-11 to establish a convention center fund. He spoke to center alternatives including a vote of the citizens for approval, abandoning the existing center and applying those funds for a new facility or adding to the Plano Centre. Mr. Muehlenbeck stated that without utilizing the hotel/motel tax monies, there are reduced opportunities and spoke to analysis of arts/historic contributions by other area cities indicating that Plano is among the highest. He advised that a report regarding possible locations for a new center would come forward in 90-120 days.

Council Member Callison spoke in favor of getting grant applications started and following up once figures are determined. Mr. Muehlenbeck responded to Mayor Pro Tem LaRosiliere, advising that if the allocated fund were established and no new center constructed, monies would likely be utilized to upgrade the current Centre. He further spoke to discussions of constructing a larger facility, the current loss of business to other municipalities who have adjacent hotels and discussions with hotel developers who consider the current location too far from US 75 and who request City equity. Mayor Dyer spoke to receiving more detailed figures regarding debt service for bonds. Council Member Harris spoke to long-range planning and to reviewing all the figures and consultant information before making a determination and City Manager Muehlenbeck advised he would follow up with the consultant. Mayor Pro Tem LaRosiliere spoke to prior Council discussion on the subject and to determining commitment and allocation of funding for all areas of the arts. Mayor Dyer spoke to determining a location while land is available, even though construction may be delayed and requested Staff bring forward further information on March 22.

## **Discussion and Direction re Review of the Comprehensive Plan**

Senior Planner Sims advised that this item requests Council consideration as Staff moves forward on compilation of the Comprehensive Plan and to the plan acting as a guide for future development, making recommendations for land use, transportation, and infrastructure by defining the future vision of the City over the next 20 years. Mr. Sims advised that the plan has been in place since the 1960's and responded to City Manager Muehlenbeck regarding inconsistencies in reports on population received from the American Community Survey. Mr. Sims spoke to revising the plan to incorporate the City's changes in growth and role in the region, cover future development opportunities, and transitions and to update information making materials easier to find. He reviewed its content and plans for an interactive, web-based product. Mr. Sims responded to Council Member Smith, advising that Staff will hold public meetings to receive input on both the plan design and issues facing the City. The Council stated a consensus directing Staff to move forward.

## **Comprehensive Monthly Financial Report**

Director of Finance Tacke spoke regarding the report for the month of January 2010, advising that revenues in the General Fund are up slightly as a percentage of budget compared to last year while those for Water/Sewer and Golf Course funds are down. She advised that actual general revenues are down in total primarily due to decreases in sales tax and spoke to the impact of wet weather on Water/Sewer revenues. Ms. Tacke spoke to declines in franchise revenue and expenditures in the General Fund down slightly as a percentage of the budget. She spoke to property management expenses based on demolition costs, slightly improved sales tax figures for December (down 1.9%), and expenses in the Water/Sewer fund based on contractual payments to the North Texas Municipal Water District and encumbrances for the environmental education building.

## **Departmental Briefings - Human Resources - Technology Services**

Assistant City Manager Ross advised that the primary role of the Human Resources Department is to oversee continuous improvement of the employment experience, ensure dissemination and compliance of relevant employment law, and provide timely accurate information/service to employees and citizens. She advised that there are currently 2010 full-time employees, 244 part-time and 530 temporary in 24 departments with the largest being the Police, Fire and Public Safety. Ms. Ross spoke to a breakdown of taxes and benefits paid by employees. She advised that the Benefits and Compensation Division monitors the classification structure to ensure that the City remains competitive and reviews benefits; Employee Relations oversees the employee experience including management and recruiting, managing policies and procedures and employee appreciation; Professional Development encompasses training and plans to expand online offerings; and Retirement/Civil Service administers the growth in retirements and exams, etc. related to civil service positions. Ms. Ross spoke to the managing contracts for efficiency and performance; facilitating the change process; offering innovative solutions for workforce shortages; organizing and monitoring compensation policies to meet needs while remaining competitive and seeking partnerships to share resources and generate revenue.

Ms. Ross spoke to enhancing the employees' quality of life through wellness, teambuilding and customer service sessions; development of a layoff handbook; expanded retirement education sessions; in-house toastmaster club; and advised that 96% of the workforce has completed harassment prevention training. Ms. Ross spoke to online offerings, electronic data management, implementation of the COBRA subsidy process and establishing the learning management system. She spoke to the City being self-insured allowing for development of their own plan, sharing risk throughout the organization and managing the costs and further responded to Council Member Smith regarding the level of City contribution to both employee and dependant insurance advising that the rates are favorable when compared to the private and public sectors. Ms. Ross responded to Council Member Callison, advising that the City offers 700+ training courses and that some employees still need outside certifications and professional development sessions and spoke to plans to increase online offerings.

Director of Technology Services Stephens reviewed the department's mission statement, advised regarding the organizational structure including 53 positions with six functional areas and spoke to providing services for all employees, public safety support (75 applications, vehicle computer, and mobile hand-held citation equipment), departmental applications (135+) and service to telecommunications (2000+ desk phones, five major phone systems, 35+ smaller key systems and vendor support network), e-commerce/e-government (online payments, registrations, paperless packet and restaurant scores). Mr. Stephens spoke to network infrastructure, financial/human resources/payroll applications, and e-mail support. He reviewed projects including wireless access for police officers and City employees, increased e-government services, enterprise video management console ability to gather feeds and distribute them to employees, disaster recovery and business continuity, information technology infrastructure library and modernization of the current municipal annex to serve as a more efficient data center.

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

Mayor Dyer spoke to receiving further information on contributions to the Arts /Historic Preservation Organizations. Council Member Smith requested an update on the left-turn lanes at Legacy/Preston Roads.

### **Consent and Regular Agenda**

No items were discussed.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:57 p.m.

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**Phil Dyer, Mayor**

ATTEST

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**Diane Zucco, City Secretary**

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Mayor Dyer convened the Council into the Regular Session on Monday, February 22, 2010, at 7:07 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Pastor Barry Gin of the Plano Chinese Alliance Church and the Pledge of Allegiance was led by the U.S. Civil Air Patrol – Plano Mustang Composite Squadron.

Mayor Dyer presented special recognition to the Plano Table Tennis Team and presented a Certificate of Appreciation to Alex Williams for service on the Multicultural Outreach Roundtable.

**COMMENTS OF PUBLIC INTEREST**

Citizens Dale Rude and Wil Johnson addressed the Council regarding the formation of a Plus 55 band (New Horizons) based on a model founded in 1991, incorporating input from staff of the University of North Texas and supported by local businesses. They advised the group would be open to all and Mayor Dyer wished them luck in their endeavors.

**CONSENT AGENDA**

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Callison, the Council voted 7-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item “A”)

February 4, 2010  
February 8, 2010  
February 10, 2010

**Approval of Expenditures**

**Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)**

**Bid No. 2010-49-B** for one (1) International 6-7 yd Dump Truck to Southwest International Trucks Inc. in the amount of \$65,055. (Consent Agenda Item “B”)

**Bid 2010-16-B** Compost Bagging System to Hamer LLC in the amount of \$81,108. (Consent Agenda Item “C”)

**Purchase from an Existing Contract**

To authorize expenditure for virtual servers for the data center at the EOC Server Room, in the amount of \$93,467 from Dell Corporation, through a State of Texas Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIRSDD- 890). (Consent Agenda Item “D”)

To authorize expenditure for Cisco infrastructure backbone switches for the new data center at the EOC Server Room, in an estimated amount not to exceed \$100,000 from INX, Inc., through a State of Texas Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-239). (Consent Agenda Item “E”)

To approve the purchase of Site and Building Improvements to the Day Labor Center in the amount of \$299,884 from Kellogg Brown and Root Services, Inc. through an existing contract/agreement with The Cooperative Purchasing Network (TCPN), and authorizing the City Manager to execute all necessary documents. (TCPN contract number R4895) (Consent Agenda Item “F”)

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

To approve and authorize a contract with Freese and Nichols, Inc. to provide Engineering Services in conjunction with improvements for Park Erosion Control Projects in an amount not to exceed \$82,560 and authorizing the City Manager to execute any and all documents necessary to effectuate the contract. (Consent Agenda Item “G”)

To approve an architectural contract by and between the City of Plano and Kirkpatrick Architecture Studio in the amount of \$166,000 for design and construction oversight of Fire Station 4 Addition; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

## **Approval of Expenditure**

To approve ratification of expenditures to Sunbelt Pools in the amount of \$65,938 for an emergency repair at Harry Rowlinson Natatorium made necessary to preserve or protect the public health or safety of the municipality's residents; said repairs being essential to maintain proper filtration and circulation as required by State codes. (Consent Agenda Item "I")

To approve the purchase of materials testing services for the McDermott Road from Ohio Drive to Coit Road project, in the amount of \$80,061 from Terracon Consultants, Inc., through an existing contract/agreement 2009-186-D, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "J")

## **Adoption of Resolutions**

**Resolution No. 2010-2-12(R)** to amend the existing Building Inspections Department Fee Schedule to provide City Services and Programs; repealing all previous Fee Schedules and charges for services listed in the Building Inspections Department Fee Schedule and providing a repealer clause, a severability clause, and an effective date. (Consent Agenda Item "K")

**Resolution No. 2010-2-13(R)** to approve the terms and conditions of an Agreement by and between Tony Picchioni and the City of Plano; authorizing its execution by the City Manager and providing an effective date. The term of this Agreement shall be an initial three (3) years with a City option to extend an additional three (3) additional one (1) year periods. (Consent Agenda Item "L")

**Resolution No. 2010-2-14(R)** to approve the terms and conditions of an Interlocal Cooperative Agreement by and between the City of Plano and the North Central Texas Council of Governments (NCTCOG), for a Traffic Signal Project; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "M")

## **Adoption of Ordinances**

**Ordinance No. 2010-2-15** to repeal Ordinance No. 98-4-7 as amended by Ordinance No. 2008-8-12, codified as Section 16-19, Fees for Zoning, Rezoning and Other Miscellaneous Fees, of Article II, Fees Generally, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas; establishing a new fee schedule for zoning, rezoning, and other miscellaneous procedures; and providing a repealer clause, a savings clause, a severability clause, and an effective date. (Consent Agenda Item "N")

**Ordinance No. 2010-2-16** to amend Subsection 302.4 Weeds and Landscaping of Sec. 6-52 Deletions, additions and amendments to Chapter 3 of the International Property Maintenance Code, Division 2 Amendments, Article III Property Maintenance Code of Chapter 6 Buildings and Building Regulations of the Code of Ordinances of the City of Plano and Sec. 14-3 Weeds, rubbish or unsanitary matter, Article I In General of Chapter 14 Offenses-Miscellaneous of the Code of Ordinances of the City of Plano by revising the administrative fee assessed, updating definitions, clarifying designated personnel authorized to enforce the provisions, providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "O")

**END OF CONSENT**

**Discussion and direction** regarding calendar and time line for Arts of Collin County Project. (Regular Agenda Item “1”)

City Manager Muehlenbeck spoke to the draft timeline for the project, advising that the Arts of Collin County continues efforts to reduce the price. He spoke to the City of Allen considering approval of a guaranteed line of credit on February 23 to make up the perceived shortfall between the guaranteed maximum price and funding available to be followed by press releases and a reception later in the month. Mr. Muehlenbeck spoke to presentations before all three city councils and work to finalize the contribution agreement and declare the project before plans can move ahead. He further advised that plans are to award the contract at the end of March.

There being no further discussion, Mayor Dyer adjourned the meeting at 7:26 p.m.

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**Phil Dyer, MAYOR**

ATTEST:

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Diane Zucco, City Secretary