

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
May 9, 2011**

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

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

Mayor Dyer called the meeting to order at 5:03 p.m., Monday, May 9, 2011, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Callison arrived at 5:06 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, Section 551.071; discuss Real Estate, Section 551.072; 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 6:07 p.m.

Consideration and Action Resulting From Executive Session

No items were discussed.

Financial Forecast Update

Budget and Research Director Rhodes-Whitley spoke to revised revenue projections reducing the City's deficit position for FY 2011-12 from \$9.3 million to \$7 million with a projected deficit of \$20 million in FY 2012-13 and \$18 million in FY 2013-14. She stated that last week, the Central Appraisal Districts, Collin and Denton County, provided their preliminary certified property values which are close to City estimates at \$24.28 billion. Ms. Rhodes-Whitley advised that new property values are \$200 million rather than the \$300 million expected, spoke to the protest period and advised Council that final numbers will be available in mid-July.

Ms. Rhodes-Whitley stated the City will be receiving a settlement check from Oncor for \$790,000 this year, and \$525,000 next year and municipal court fines have increased over the last two months averaging \$580,000 a month. In regards to sales tax, Ms. Rhodes-Whitley stated the City is leading last year by \$2.7 million.

Discussion and Direction regarding Community Relations Commission's Grant Program

Community Services Manager Day stated that the Buffington Community Services Grant currently has two major objectives: (1) all programs funded through this grant meet a short-term urgent economic assistance or care services; and (2) programs meet a consolidated plan goal. Ms. Day advised Council that most of the funds go to meet the objective of "suitable living environment," a HUD term that means the City will provide support to organizations that engage in public services for Plano residents. Ms. Day informed the Council that the United Way of Metropolitan Dallas has shifted their funding focus recently to education, income and health. She stated that applications for City funds include 3 years of budgeting information for the organization and specifically call out grants that are received by the agency so that the Community Relations Commission is able to see whether or not an agency has received United Way funding or any other grants and how that is impacting their overall organization budget not only in past years but future projections as well.

Mayor Dyer spoke to the impact of funding cuts by The United Way on emergency service agencies and to possible reprioritization of grant funding. Ms. Day advised the Council that grant applications are similar to those received in the past and spoke to a further defining of the Buffington Community Service Grants to cover short-term urgent needs. She commented that some of the more preventative services have been moved into the Community Development Block Grants and further advised that funding begins on October 1. Mayor Dyer requested consideration of funding be brought to Council before July. Chairman Grady informed Council that the Commission has looked at each agency receiving United Way funding and advised that a preliminary analysis shows very few of those agencies feel they will receive any monies. The Council thanked the Commission for their service.

Council Member Callison left the bench at 6:28 p.m. and did not return.

Post Development Storm Water Quality Control Program

Public Works Director Cosgrove spoke to the need for a Plano post-development control program by 2012 and Staff's review of the *integrated Storm Water Management* (iSWM) program being developed by the Council of Governments including: criteria, methodology and controls for a City's local drainage system; stream bank protection system; flood conveyance system. He spoke to Phase I of the program which reviewed the City process and compared it to iSWM; established new criteria for water quality, leaving quantity and stream bank protection as is; determined regulations would be incorporated into the Subdivision Ordinance; and developed an outline for implementation. He spoke to Phase II in which the City would establish water quality criteria, development technical requirements for BMPs, develop an ordinance and provide public outreach and education.

Mr. Cosgrove advised that the City will look at using the iSWM Technical Manual with local provisions, deciding what level of treatment is required and what devices will be allowed in the City. He stated in developing the ordinance, consideration will be given to whether sites have natural qualities (streams, trees, etc.) and spoke to bio-retention areas and types of treatment devices (plants, organic filters, compost or mulch, ponds, sand filters, and green roofs). Mr. Cosgrove spoke to maintenance issues and reviewed the schedule, advising that the proposed effective date would be January 1, 2013. He further spoke to implementing an extensive training program.

Mr. Cosgrove responded to Mayor Pro Tem Dunlap, advising that the City is required to take these steps and stated that implementation will impact new development and redevelopment, including residential sites. Mayor Pro Tem Dunlap spoke to the City's adherence to state requirements and issues/costs related to maintenance and inspections. Mr. Cosgrove stated funding would be from drainage fees and responded to Mayor Dyer regarding the uncertainty of grant funding. Council Member Davidson verified that developers will pay for initial installation with City permitting and allocation of maintenance expenses is yet to be determined.

Water Quality Report

Public Works Director Cosgrove stated during the month of April, of 217 water samples taken for Coliform, 23 tested positive and advised that these were scattered throughout the City, occurred within one week and that there has not been a positive test since. Mr. Cosgrove stated the City will notify the public, publish information on the City's website, and provide a press release. He spoke to proposals for additional testing in the future; a computer model for water quantity, to make sure we have enough water to provide to our citizens; and developing a model to determine the age of the water in use. He responded to the Council that City testing exceeds State requirements and that retesting is done until sites pass.

Microsoft Exchange Online Migration

Director of Technology Services Stephens spoke regarding review of the City's e-mail system and criteria including: cost, business continuity, scalability, functionality and compliance. He spoke to costs for upgrading to the current version of Microsoft Exchange and ensuring e-mail is available to employees, no matter what happens to the data center; the cost of replicating hardware and services at the Emergency Operations Center; and issues of regulatory compliance including e-discovery. He advised that the City is providing more electronic records than paper and must have a record of all e-mails going in and out of the system. Mr. Stephens stated the storage requirement has gone up dramatically and spoke to functionality and remote access. Mr. Stephens spoke to utilization of a Business Productivity Online Suite ("BPOS") or hosted (cloud) version of e-mail with Microsoft accepting responsibility for the maintenance of the hardware, the backups, and the increasing storage requirements resulting in an anticipated cost-savings of almost \$900,000 over three years. He spoke to utilization on personal devices, non-City issued cell phones and smart phones and migration expected to be complete by September.

Personnel

Upon a motion made by Council Member Davidson and seconded by Council Member LaRosiliere, the Council voted 7-0 to appoint Karen Mitchell to the Senior Citizens Advisory Board as an interim member.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agenda

Staff requested Consent Agenda Item "L", a resolution to approve the terms and conditions of a First Amendment to Development Agreement by and between the City and Tenth Street Plano, L.P. be pulled.

Mayor Pro Tem Dunlap requested Consent Agenda Item "B", Bid No. 2011-138-B for University Estates Waterline Rehabilitation to RKM Utility Services, Inc. in the amount of \$1,172,862 be removed for individual consideration due to a possible conflict of interest.

Mayor Dyer requested Consent Agenda Items "E," CSP No. 2011-128-C for a contract for Back-up Bank Depository Services for the Treasury Department to LegacyTexas Bank; and "O," an ordinance to rezone 31.3± acres located generally at the northeast corner of Coit Road and Mapleshade Lane in the City, from Corridor Commercial to Planned Development-215-Corridor Commercial, and 5.3± acres located at the southwest corner of Mapleshade Lane and Silverglen Drive in the City, from Corridor Commercial and Light Industrial-1 to Planned Development-216-Corridor Commercial be removed for individual consideration due to possible conflicts of interest. He further advised that he would be stepping down on Regular Item "2," Public Hearing and an Ordinance as requested by Zoning Case 2011-07 to rezone 11.1± acres located on the east side of Ohio Drive, 641± feet north of Rasor Boulevard in the City, from Retail to Planned Development-213-Single-Family Residence-6; due to a possible conflict of interest.

Mayor Pro Tem Dunlap requested Consent Agenda Items "J," a resolution to provide for opposition to the Federal Communications Commission notice of inquiry relating to acceleration of broadband deployment and; and "K," a resolution to approve the terms and conditions of a contract between Interfaith Housing Coalition and the City of Plano for Homelessness Prevention and Rapid Re-Housing Program funds in the amount of \$31,465 be removed for individual consideration.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:49 p.m.

Phil Dyer, Mayor

ATTEST:

Alice Snyder, Assistant City Secretary