

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
June 11, 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 Evans called the meeting to order at 5:09 p.m., Monday, June 11, 2007, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Deputy Mayor Pro Tem Callison arrived at 5:12 p.m. Mayor Evans 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 for which a certified agenda is not required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:07 p.m. in the Council Chambers where the following matters were discussed:

Consideration and Action Resulting From Executive Session

No items were brought forward for consideration.

Personnel Appointments - Board and Commission Liaisons

Mayor Evans advised regarding the following Council Liaisons to various boards and commissions:

- Animal Shelter Advisory Committee – Shep Stahel and Harry LaRosiliere
- Arts of Collin County Commission Board of Directors – Deputy Mayor Pro Tem Jean Callison
- Board of Adjustment – Loretta Ellerbe and Lee Dunlap

- Building Standards Commission – Shep Stahel
- Civil Service Commission - City Manager Thomas Muehlenbeck
- Collin County Appraisal District Board – Mayor Pro Tem Sally Magnuson
- Community Relations Commission – Mayor Pro Tem Sally Magnuson and Deputy Mayor Pro Tem Jean Callison
- Cultural Affairs Commission – Mayor Pro Tem Sally Magnuson and Harry LaRosiliere
- DART Board of Directors – Linda Paulk
- Heritage Commission – Deputy Mayor Pro Tem Jean Callison and Lee Dunlap
- International Commission (as restructured) – Mayor Pro Tem Sally Magnuson
- Keep Plano Beautiful Commission – Shep Stahel
- Library Advisory Board - Scott Johnson and Harry LaRosiliere
- North Texas Municipal Water District Board – Deputy Mayor Pro Tem Jean Callison and Scott Johnson
- Parks and Recreation Planning Board –Loretta Ellerbe and Lee Dunlap
- Planning and Zoning Commission – Scott Johnson and Loretta Ellerbe
- Plano Housing Authority – Shep Stahel and Harry LaRosiliere
- Public Art Committee – Deputy Mayor Pro Tem Jean Callison and Loretta Ellerbe
- Retirement Security Plan Committee – City Manager Thomas Muehlenbeck
- Self Sufficiency Committee – Shep Stahel and Lee Dunlap
- Senior Citizens Advisory Board –Scott Johnson and Lee Dunlap
- Tax Increment Financing Reinvestment Zone No. 1 Board – Scott Johnson
- Tax Increment Financing Reinvestment Zone No. 2 Board – Harry LaRosiliere
- Technology Commission – Shep Stahel and Lee Dunlap
- Transition & Revitalization Committee –Scott Johnson and Harry LaRosiliere
- Transportation Advisory Committee – Mayor Pro Tem Sally Magnuson and Deputy Mayor Pro Tem Jean Callison
- Youth Advisory Commission – Deputy Mayor Pro Tem Jean Callison and Harry LaRosiliere
- **City Council Appointments to Various Committees and Organizations**
- Chamber of Commerce Board of Directors – Mayor Pro Tem Sally Magnuson
- Designation of Official North Central Texas Council of Governments - Voting Representative - Mayor Evans
- Regional Transportation Council – NCTCOG – Loretta Ellerbe and Mayor Evans (backup)
- TML & Other Legislative Action - Mayor Evans and other Council Members as appropriate
- North Texas Commission - Shep Stahel
- Memorial Day Committee - No appointment at this time
- Metroplex Mayors Committee - Mayor Evans
- Collin County Mayors Committee – Mayor Evans
- Arts of Collin County Mayors Committee - Mayor Evans
- Economic Development Board - Mayor Evans and City Manager Muehlenbeck
- Liaison to Collin County Community College Board – Mayor Pro Tem Sally Magnuson
- Dallas Regional Mobility Coalition - Mayor Evans

- Council of Governments - Texas Clean Air Steering Committee – Mayor Pro Tem Sally Magnuson
- Sister Cities – Mayor Pro Tem Sally Magnuson
- McKinney Airport Tech Board – Scott Johnson
- Regional Committee on Child Predator Legislation – Deputy Mayor Pro Tem Jean Callison
- Fire Team USA – Harry LaRosiliere
- **City Council Committees**
- Board and Commission Review Committee – Mayor Pro Tem Sally Magnuson and Deputy Mayor Pro Tem Jean Callison
- Community Finance – Scott Johnson and Harry LaRosiliere
- Joint PISD/Council Committee – Mayor Pro Tem Sally Magnuson and Deputy Mayor Pro Tem Jean Callison
- Tax Abatement Council Committee – Scott Johnson and Harry LaRosiliere
- **Adhoc/Roundtables**
- Multi-Cultural Outreach Roundtable – Mayor Pro Tem Sally Magnuson and Harry LaRosiliere

Mayor Evans spoke to possible future revisions.

State Legislative Session Update

Executive Director Turner spoke regarding the number of bills considered during the legislative session and advised that Governor Perry has until June 17 to sign, veto or allow bills to go into law without signing. Mr. Turner advised regarding a bill related to jurisdictions that appraise properties every two to three years and the resultant cumulative appreciation being passed on to the tax payer in a large amount, but stated this should not affect Collin County as it has a large and active appraisal district performing appraisals from year to year. He advised that Staff will be analyzing legislation to determine possible City policy changes and fiscal costs before providing the Council with a final report.

Mr. Turner spoke regarding HB621 relating to the exemption from ad valorem taxation of tangible personal property held temporarily at a location in the state. He spoke to Plano not being a large warehouse or distribution center, but stated that valuable items do come into the City and that this bill broadens the exemption. Mr. Turner spoke to a change in the conflict of interest provisions applying to the Council and certain appointed positions which now establishes a threshold for financial income. He spoke to a bill which increases the minimum purchasing requirement for complying with competitive bid regulations to \$50,000 and stated that the sale of Certificates of Obligation will now require 30-days notice.

Mr. Turner spoke regarding SB3, the omnibus water bill, being favorable to the region as passed and SB792 pertaining to a moratorium for toll roads and provision of an exemption for SH121 which is in a competitive process. He spoke regarding legislation which raises issues about how 4a/4b entities might come to make a contribution for rail and bus service in their region and may provide an opportunity for contract services.

Mr. Turner spoke regarding HB2006 affecting eminent domain and including a more brokered process requiring the extension of a bonafide offer. He advised that it includes a ten-year provision for use of the property so that it may be reclaimed by the property owner at its original price regardless of any enhancements that may have occurred. Mr. Turner spoke regarding a possible veto of this measure.

Executive Director Glasscock spoke to SB1306 which excludes from the definition of a meeting under the Open Meetings Act occasions when the quorum of a governing body may attend a ceremonial event or press conference even though there may be City business discussed if it is incidental to the event. He spoke to legislation imposing new and increased court fees, HB1471 related to the potential liability that may be imposed on a City requesting mutual aid and a bill increasing penalties related to the burglary of motor vehicles. Mr. Glasscock spoke to the Comprehensive Homeland Security Bill and concerns that the City may not be reimbursed in the case of an evacuation without a presidential declaration. He spoke regarding bills related to red light cameras and provisions including the formation of a citizens committee, fifty-percent of the revenue going to the state trauma fund, and reporting requirements.

Mr. Turner responded to Council Member Johnson regarding increasing sales tax with citizen approval. He spoke to the current 8¼% cap on sales tax, issues of placing a greater burden on tax payers and the uncertainty of future sales tax revenues. Mr. Turner responded to Council Member Ellerbe regarding the number of municipalities participating in 4a/4b programs. He spoke regarding these cities utilizing special contract services for transit purposes which raises questions about equity and how it may be impacting the ridership internal to the system. Mr. Turner spoke to there being no "junior" memberships wherein cities would pay differing amounts and receive different levels of service and still be voting members of DART. He stated that it would be doubtful that any 4a/4b jurisdictions would exercise the option to give up their status as such and join DART because they may have multi-year commitments and bonded debt. He spoke to the length of time necessary to provide extensions of service due to existing obligations in the plan. The Council thanked Staff for their efforts.

Council Items for Discussion/Action on Future Agendas

No items were discussed.

Consent and Regular Agendas

City Secretary Zucco advised that Council Member Stahel would be stepping down on Consent Agenda Item "E," CSP No. 2006-105-C for Event Log Management Software Application to dataReference, Inc. due to a possible conflict of interest.

Council Member Dunlap advised that due to a possible conflict of interest he would be stepping down from consideration of Regular Agenda Item "1," Public Hearing and consideration of an ordinance as requested in Zoning Case 2007-10.

Council Reports

Mayor Evans spoke to her attendance at a Storm Debris Appreciation Luncheon and the great effort by Staff in cleaning the City following recent consecutive storms.

Discussion and Direction Regarding Flagpole Regulations

Director of Planning Jarrell spoke to prior Council discussion regarding regulations related to flagpoles and direction to Staff to bring back wording that would provide the Council sole authority to approve those taller than 50-feet in height. She spoke to the Council's interest in setback requirements near residential areas and advised that Staff recommends using the same setbacks that currently apply to cellular antennas. The Council concurred to direct Staff to move forward to the Planning and Zoning Commission with recommended amendments to the Zoning Ordinance and Code of Ordinances.

Council Member Dunlap spoke to discussion held at a recent NLC Information and Technology Committee meeting regarding broadband deployment and the City's perspective that the federal government not necessarily get involved as things are being addressed on a local level. He spoke in favor of the use of technology in elections, but addressed the difficulty in applying it and retaining records. Mr. Dunlap spoke to promoting Plano as a host for next year's steering committee.

Nothing further was discussed. Mayor Evans adjourned the Preliminary Meeting directly into the Regular Meeting at 7:01 p.m.

Pat Evans, Mayor

ATTEST

Diane Zucco, City Secretary