

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

February 13, 2012

City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, February 13, 2012 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka	Mayor Pro Tem
Mark Solomon	Council member
Scott Dunn	Council member
Kendal Hartley	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Bill Keffler	City Manager
Dan Johnson	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
David Morgan	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Pamela Schmidt	City Secretary
Michael Spicer	Director of Development Services

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1. **INVOCATION – KENDAL HARTLEY**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – KENDAL HARTLEY**
 3. **MINUTES OF THE JANUARY 23, 2012 AND JANUARY 30, 2012 MEETINGS**

ACTION TAKEN: Mr. Omar moved approval of the minutes as presented; second by Ms. Maczka and the motion was approved with a unanimous vote.

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4. **VISITORS.** (THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A "CITY COUNCIL APPEARANCE CARD" AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)

NO VISITORS

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5. **CONSIDER AND TAKE ACTION TO APPOINT A CITY MANAGER EFFECTIVE JUNE 1, 2012 AND AUTHORIZE THE MAYOR TO NEGOTIATE THE TERMS OF EMPLOYMENT FOR CITY COUNCIL APPROVAL.**

Mayor Townsend referred to the recent announcement by Mr. Keffler regarding his forthcoming retirement. He stated that the Council is charged with the responsibility for selecting a new city manager. He advised that this Council and prior Council's have emphasized the need for

succession planning and noted Mr. Keffler has done an excellent job in that regard. He advised that Council met in Executive Session and discussed briefly the use of a search firm but felt it would not render anyone that's more qualified to run the City of Richardson at this time than Dan Johnson.

Mr. Mitchell stated his agreement with the comments made by Mayor Townsend.

ACTION TAKEN: Mr. Mitchell moved to appoint Dan Johnson as City Manager effective June 1, 2012 and to authorize the Mayor to negotiate the terms of employment for City Council approval; second by Mr. Hartley and the motion was approved with a unanimous vote, followed by a standing ovation.

Mr. Johnson, Deputy City Manager, expressed his gratitude to the Council for their vote of confidence and commitment. He noted the past 16 years working for the Council under the leadership of Mr. Keffler. He stated his appreciation for the discussion he had with Council and advised that he fully understands the Council's goals and direction for the community. He stated he is committed to working with the City team to continue moving forward to meet those goals.

PUBLIC HEARING ITEMS:

6. PUBLIC HEARING, ZONING FILE 11-25 AND CONSIDER ORDINANCE NO. 3852 AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON ON THE REQUEST OF JUSTIN MILANDER, REPRESENTING TOLL BROTHERS, INC., FOR AMENDMENTS TO THE EXISTING SPECIAL CONDITIONS TO ALLOW AN INCREASED NUMBER OF STUCCO HOMES, ADD REGULATIONS REGARDING ATTACHED/DETACHED CEDAR ARBORS AND SETBACKS, AND TO REVOKE THE SPECIAL PERMIT FOR AN INDEPENDENT LIVING SENIOR HOUSING FACILITY GRANTED IN ORDINANCE 3705 FOR THE DEVELOPMENT LOCATED AT THE SOUTHEAST CORNER OF RENNER ROAD AND SHARP LANE, CURRENTLY ZONED PD PLANNED DEVELOPMENT FOR THE RP-1500-M PATIO HOME DISTRICT.

Mr. Keffler stated the item pertained to a 17 acre development that was originally approved in May 2008. He advised that the issue before the Council pertained to stucco construction as well as the ability to have cedar arbors and the elimination of senior housing elements of the original zoning. He advised Council that staff was able to determine that the 20% of stucco homes previously approved was applicant driven and also stated the City's code definition for masonry does not include a provision for stucco but the Building Code does allow the construction. He reported that the request was reviewed by the City Plan Commission on December 20, 2011 and received a 7-0 vote recommending approval. He asked Michael Spicer, Director of Development Services, to brief the Council.

Mr. Spicer stated the subject property is a 17 acre tract comprised of 62 single family patio home lots located at the southeast corner of Renner Road and Sharp Lane known as Bridgewater Crossing. He explained that the request is to amend the current zoning to allow additional stucco homes, to allow detached and attached cedar arbors and to revoke the special permit for independent living senior housing. He provided photos of current homes within the development. He stated the applicant has requested to increase the number of stucco homes allowed in the development to 25 due to market demand and noted that the stucco homes sale for approximately \$10,000 more than the same plan built with brick. The second component of the request is to allow attached and detached stained cedar arbors up to 3' from the property

line. He stated that the request is due to the fact that the structure would be within the setback. The third component of the request is to repeal the ability of an independent living senior housing facility.

Mr. Omar voiced concern about the close proximity of some of the yards with the ability to build an arbor within 3 ft of the property line, particularly with the use of wrought iron fences. Mr. Spicer added that the applicant provide information with signatures of 11 of the owners who are in support of the request. He reminded Council that the ordinance that would effect the changes requested is set for action as well.

Mr. Hartley asked about the number of lots that the arbors would encroach within the 10 ft setback and Mr. Spicer deferred to the applicant.

Mr. Mitchell asked about the 3 ft requirement as opposed to another distance and Mr. Spicer stated the standard accessory structure setback is 3 ft in the rear yard. Mr. Omar noted that in some cases, the structure would not provide a very deep patio.

Mayor Townsend opened the public hearing and invited the applicant to present the request.

Ryan Bashaw, 2557 SW Grapevine Parkway, Grapevine, representing Toll Brothers, presented and distributed a picture to depict an attached arbor, which could also be offset with additional down poles. He stated that some lots are as deep as 105 ft.

Mr. Omar stated that thus far the subdivision has developed excellently and expressed concern for those homes that share a back yard property line and Mr. Bashaw stated the wrought iron fences are only on those that share green space but the other lots have board on board cedar fences. He also noted that because the product is patio homes, the buyers expect there to be very little yard space.

Mr. Mitchell stated he would not have a problem with the request so long as the fences were required to be wooden or opaque and Mr. Bashaw replied that the restrictions are specific about the required fence material. He further stated that all the fences will be constructed as board on board cedar fences and the height is typically six feet.

Mr. Solomon noted that even cedar tends to rot and suggested using brick at the bottom of the pergola columns to avoid rot.

Mr. Mitchell questioned the durability of stucco and the request to increase the number of stucco homes. He stated his preference of brick façades with some stucco as a decorative feature. Mr. Bashaw explained that the buyers are people relocating from other areas and are asking for the stucco homes and the request to 40% is responsive to the number of requests they have received. He stated that he has been in Dallas for 10 years and has not experienced a problem with stucco homes.

City Secretary Pam Schmidt advised there were no speakers regarding the item.

Mr. Omar moved to close the public hearing; second by Mr. Solomon and the motion was approved with a unanimous vote.

Mr. Mitchell asked to take separate votes on the three changes because he had concern regarding the request for more stucco homes. Mayor Townsend stated that the problems in the past were with the EIFS product rather than stucco. Mr. Dunn asked if a percentage allowed

was require or if the Council could remove the limitation. Mr. Omar stated he was very comfortable with the request as written. Mr. Bashaw stated he was comfortable with 40% and was confident that 40% would be sufficient, but would return if more was needed. Mr. Omar stated that while he is not totally comfortable with stucco, but Toll Brothers has proven to provide a quality product and he was very comfortable with the request as written.

Mr. Mitchell asked about his experience with stucco thus far and Mr. Bashaw stated all of the homes are warranted. He felt their stucco product was just as sturdy and durable as brick or stone and described the application. He went on to say it is high impact resistant and unlike EIFS, it breaths so will not have a problem with mold. The life expectancy is the same as brick. Mr. Mitchell stated he was willing to proceed because of the reputation of Toll Brothers and stated he understood that the standards have changed over the years.

ACTION TAKEN: Mr. Omar moved approval of ZF 11-25 and Ordinance No. 3852; second by Mr. Solomon and the motion was approved with a unanimous vote.

7. PUBLIC HEARING, ZONING FILE 11-27: A REQUEST BY DIEGO GORDILLO, REPRESENTING DALLAS SOCCER CENTER LLC, FOR REVOCATION OF A SPECIAL PERMIT FOR AN INLINE HOCKEY ARENA AND APPROVAL OF A SPECIAL PERMIT FOR AN INDOOR SOCCER FACILITY WITH MODIFIED DEVELOPMENT STANDARDS AT 1000 HAMPSHIRE LANE (EAST SIDE OF HAMPSHIRE LANE, SOUTH OF ARAPAHO ROAD). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

Mr. Keffler stated the application involves an 18,600 sq ft facility that has been used since 1982 for a number of different indoor sports uses and is requesting a new permit for a soccer center. He stated that the Plan Commission reviewed the request at its January 17th meeting and recommended approval with a 6-1 vote. He asked Mr. Spicer to brief the Council.

Mr. Spicer advised that the subject property is zoned Commercial and is approximately 1.23 acres in size located south of Arapaho Road and east of Hampshire Lane. He used a location map to illustrate the neighboring zoning districts as well as an aerial photo and photos of the site and building to illustrate the existing conditions. He stated the request is to revoke the special permit for inline hockey and to approve a special permit for an indoor soccer facility with alternate parking requirements. He described the improvements to be made inside the facility. He stated that the site is required to have 7% landscaping and currently includes about 3%. He advised that the applicant is proposing to enhance the landscaping in four areas around the building, which increase the landscaping to 4%. The applicant also plans to add a masonry dumpster enclosure. With regard to parking, he explained that the applicant is requesting to maintain parking consistent with the inline parking requirement, which is based on the number of players, referees, the number of employees and the square footage dedicated to office retail and concession inside the building. He noted that there are 67 parking spaces on the site and based on the proposed ratio, 59 spaces would be required.

In response to Mr. Omar, Mr. Spicer stated the request is to revoke the existing inline hockey special permit and approve it for indoor soccer using the parking ratio of inline hockey. With regard to the expanded area for the buffer, Mr. Spicer stated it would enable the property owner to install canopy trees and ornamental trees that are currently precluded by the narrowness of the area.

Mayor Townsend opened the public hearing and invited the applicant to present the request.

Diego Gordillo, 7514 Oakhurst Trail, Garland, representing the Dallas Soccer Center, stated the goal is to purchase the property to turn it into an indoor soccer facility. He stated they would follow a simple business model with the hours of operation being 4:00 p.m. to 11:00 p.m. during the week and all day on Saturdays and Sundays for adult and youth leagues.

Ms. Schmidt advised there were no speaker cards regarding the item. Mr. Dunn moved to close the public hearing; second by Ms. Maczka and the motion was approved with a unanimous vote.

Ms. Maczka stated she has received a lot of positive feedback about the organization and stated she was thrilled the facility would be utilized again.

ACTION TAKEN: Ms. Maczka moved approval of ZF 11-27 to revoke the Special Permit for the inline hockey arena and approve the Special Permit for an indoor soccer facility with modified development standards at 1000 Hampshire Lane; second by Mr. Hartley and the motion was approved with a unanimous vote.

8. PUBLIC HEARING, ZONING FILE 11-29: A REQUEST BY EYAL AVNON, REPRESENTING DAVID WEEKLEY HOMES, FOR APPROVAL OF A REVISED CONCEPT PLAN AND AMENDMENT OF THE DEVELOPMENT STANDARDS FOR A PROPOSED PATIO HOME DEVELOPMENT ON A PROPERTY LOCATED AT THE NORTHWEST CORNER OF LAKE PARK WAY AND JONSSON BOULEVARD. THE PROPERTY IS CURRENTLY ZONED RP-1500-M PATIO HOME.

Mr. Keffler noted that the project was before the Council in December 2011 and approved. He stated that the City Plan Commission recommended approval with a 6-1 vote and he asked Mr. Spicer to brief the Council.

Mr. Spicer stated the subject property is a 5.87 acre site located at the northwest corner of Lake Park Way and Jonsson Boulevard. The request is for approval of a revised concept plan and amendment of development standards for the proposed 42 lot single family gated home development. He used an aerial photo to illustrate the area and provided photographs of the subject site. He provided the currently approved site layout and the proposed site layout. The changes that are being requested as part of the development standards include reduction in the minimum lot size from 4,000 sq ft to 3,600 sq ft; reductions in front yard setbacks from 15 ft to 10 ft; reduction in the rear yard setback from 10 ft to 5 ft; increased lot width from 40 ft to 45 ft; He noted that the garage would be required to be set back 20 ft to allow for a vehicle to be parked in the driveway without encroaching into the street. He explained that the applicant felt having first floor master suites would better suit the market requiring the proposed changes. In comparing the two site plans, Mr. Spicer noted changes in the site plan of the elimination of 10 off-street visitor parking spaces along the west property line and the increased in the number of lots from 37 to 42. He advised the applicant would decide if the lots would be zero lot lines or a center loaded lot but it would be determined at the time of platting. He added that there were no alleys in the subdivision and the homes would be front entry and there would be no internal sidewalks. He advised that the perimeter would include a seven foot sidewalk at back of curb along Jonsson Boulevard and Lake Park Way. He provided conceptual building elevations and garage door styles.

Mayor Townsend asked if an emergency exit was necessary on the north end and Mr. Spicer replied that an exit to the north was not required.

Mr. Omar referred to his comments during the December discussion asking that the applicant adjust the location of the sidewalk away from the back of the curb where possible and wasn't seeing a change on the proposed site plan. Mr. Spicer deferred to the applicant while noting that given the amount of space between the screening wall and the back of the curb, there was not much opportunity to address the problem and he also noted the existing utilities. In response to Mr. Omar, Mr. Spicer confirmed the decrease in front and rear setback and stated the lot debt was reduced from 100 ft to 80 ft. with the proposal.

Mayor Townsend opened the public hearing and invited the applicant to present the request.

Eyal Avnon, 3301 N. IH-35, Carrollton, Texas, representing David Weekley, referred to the short time frame to prepare and submit the first application, which did not allow the time needed for a market study. The proposal before the Council was due to feedback from different levels of City staff, the Plan Commission, realtor panels, the Council and from the general public. He stated that the house being 5 ft wider makes a big visual impact from the street as well as caused a different layout that he felt would have a better flow.

Mr. Omar stated his concern about the exterior walk-ability of the community and felt a sidewalk adjacent to the curb was not appealing. He felt that the developer did not give consideration to his comments during the original hearing regarding the sidewalks. He also voiced concern with the loss of the visitor parking. He felt that the current design is just squeezing in more lots and homes. Mr. Avnon noted the adjacent existing sidewalks that were 5 ft rather than the currently required 7 ft sidewalks and explained that the extra 2 ft didn't allow enough real estate to create a true meandering sidewalk. He there were a couple of places that it could happen and agreed it was something to look at. Mr. Omar stated he has a problem with there being enough land to add more homes but not enough to provide a more appealing sidewalk. He felt the changes requested were only to add more lots without consideration of improving the exterior of the development. Mr. Avnon explained the plan to have a pedestrian access point at the southwest corner and at the primary entrance. He referred to existing utility constraints along the southern edge of the property and he noted that a meandering sidewalk might be viable along the visibility triangle on the east side of the property. Mr. Omar stated his opinion that the elimination of the visitor parking makes the site less walkable because there will be more parking on the street. Mr. Avnon stated the parallel visitor parking was never a requirement and was something that was initially provided because there was space to provide it but the reality is the parking spaces would probably not be used by a majority of the visitors. He stated that every time they tried to include it, it negatively impacted something else. He also noted that widening the lots by 5 ft would provide for one additional on-street parking.

Mr. Mitchell asked about the "dead end" street and Mr. Avnon stated that residents typically like the area because it is more private. He also stated that they don't expect there to be a lot of through traffic and he noted there was no way to connect to the northern street because it was part of a gated subdivision. With regard to the material requirements for chimneys, Mr. Spicer clarified that masonry chimneys are required.

Mr. Solomon excused himself from the meeting at 9:00 p.m. due to illness.

Mr. Mitchell asked about market audience and Mr. Avnon stated the target market would predominately be empty nester couples and sometimes young professional couples are interested in patio homes. Mr. Mitchell felt having the master bedroom on the first floor was preferable.

Mr. Hartley stated there appeared to be more green area with the proposed site and Mr. Avnon stated the new configuration allowed the blocks to be separated which provides an illusion of more green space.

In response to Mr. Hartley, Ms. Maczka noted that some of the lots are larger. She agreed that the change in the façade was significantly better. She asked if the reconfiguration changed the price point of the homes. Mr. Avnon replied that the price point actually decreased and the houses would sell in the mid - high \$200,000 to \$300,000.

In response to Mr. Dunn, Mr. Avnon stated the retention pond was designed to address the stormwater runoff from the site. He also stated they would provide a walking trail, park benches and ornamental trees. Mr. Spicer stated the primary function was for stormwater quality. Mr. Mitchell noted the flooding to the South at Edith Circle. Mr. Keffler stated the City has studied the drainage and there would be no issues that would be compounded by the proposed site.

Ms. Schmidt advised there were not other speakers.

Mr. Dunn moved to close the public hearing; second by Mr. Hartley and the motion was approved with a 6-0 vote, Mr. Solomon absent.

Mr. Omar voiced a concern with the neighborhood becoming an area with a lot of cars parked on the street and voiced a concern about there being no sidewalks within the subdivision. He stated he was in favor of a first floor master but was concerned about the longevity of the site in the long term.

Mr. Mitchell asked if parking would be allowed on the street and Mr. Spicer replied that a vehicle could be parked in front of a home on the street. Mr. Omar underscored that the lack of sidewalks means that young children would be forced to play on the streets. He questioned if the subdivision was compromised with the reduction in parking and additional lots. He also felt the reduction in wrought iron fencing decreased the appeal of the subdivision. He stated that, other than the first floor master, he did not like the changes. Mr. Mitchell asked the size of the setback between the street and the front of the homes and Mr. Spicer replied that it would be 10 ft. Mr. Mitchell noted that the addition of a sidewalk would reduce the amount of green space. He felt the proposal would work as presented. Ms. Maczka asked about the wall along Lake Park Way and Mr. Spicer responded that it would be a masonry wall and the area along side it would be landscaped but the landscaping would have to be such that it does not interfere with visibility of oncoming traffic.

ACTION TAKEN: Mr. Hartley moved approval of Item 8 as presented by staff; second by Mr. Mitchell. Mr. Omar stated that while he is in favor of development and of developing the property, felt the Council was settling for something less than optimal and felt the Council could ask the applicant to reconfigure the lots. He voiced concern with the future of the neighborhood and stated he would reject the application. The motion was approved 5-1-0 with Mr. Omar in opposition and Mr. Solomon absent.

9. CONSIDER REQUEST OF JEFF GIBBENS WITH PRO MED SIGNS, REPRESENTING HARRINGTON CHIROPRACTIC, FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE I, SECTION 18-5(4) TO ALLOW A 13.33 SQUARE FOOT TIME AND TEMPERATURE SIGN IN ADDITION TO THE APPROVED 36 SQUARE FOOT ILLUMINATED CHANNEL BOX SIGN AT 1980 NANTUCKET DRIVE, #104.

Mr. Keffler stated the Sign Control Board recommended approval of the request at the January 11, 2012 meeting and Council requested to review the case. He asked Mr. Magner to brief the Council.

Mr. Magner stated that SCB Case 12-01 is a request by Jeff Gibbens of Pro Med Signs, representing Harrington Chiropractic, to allow a time and temperature sign in addition to the approved 36 sq ft illuminated channel box sign for the property located at 1918 Nantucket Drive. He explained that jump clocks or display devices may be allowed only by special permit. He stated the applicant stated the purpose of the signs were to provide a modern and clean look as well as to provide a public service to the community. He provided photos of the site showing current signs and also provided a depiction of the proposed signs. Based on the store frontage and height of the wall, the applicant would be allowed a total of two signs for up to 74 sq ft and the two signs depicted are just below 50 sq ft in size. He advised that the Sign Control Board approved the request with a unanimous vote.

Mayor Townsend stated this was not a public hearing and invited the applicant to address the Council.

Jeff Gibbens, 5920 Meadowcreek Drive, Dallas, stated he was confused about why he needed to be before the Council. He stated his client's intent was to increase the visibility and the professionalism of his practice. Harrington Chiropractic has been in the same building for over 30 years. He stated that his client has been very ill and unable to appear. Mr. Gibbens stated they have tried to follow every rule there is and felt they have accomplished it. He stated they were not looking for flashy, commercial or a trashy look and stated they were looking for a very professional, very elegant, very upscale look to represent the kind of work performed.

Mr. Omar stated he requested review of the item because he was not convinced that the proposed signs were classy or upscale and stated he was particularly opposed to the faces on the sign. He voiced concern with the sign with the faces fading from the sunlight. He felt there were higher end signs that would incorporate both items in one sign. He stated that the Council's job is to make sure that centers are not allowed to go in the wrong direction. With regard to fading, Mr. Gibbens stated the proposed sign is a second surface digital graphic applied to solar grade material that is guaranteed not to fade or discolor. Mr. Omar stated he was also concerned with the inconsistent look along the building. Mr. Gibbens noted that the building has no sign criteria.

Ms. Maczka concurred with Mr. Omar stating that the BBQ sign is a new sign and is the preference for signs on the building. She stated that the Council's desire is for all of the signs to be better. She felt one sign would be better than two separate signs with different sizes. Mr. Gibbens stated if he needed to make the time and temperature sign the same size as the other sign and install it directly adjacent to the other sign, he would do so, although he would prefer not to.

Mr. Omar asked if the Council had a concern about the box lit sign and Mr. Magner stated the Harrington Chiropractic sign is allowed by right and has been permitted. Mr. Omar agreed that it was that it is two very different signs. He stated he was opposed to the time and temperature sign as proposed and felt it creates disjointedness on the site that would not be attractive.

Mr. Mitchell stated there are places that a time and temperature sign would be appropriate, but he did not feel it is appropriate at this location. He stated he was okay with the other sign and noted it was not an issue.

Mr. Dunn stated he was not concerned with the proposed sign and did not want to second guess the Sign Control Board. Mr. Gibbens stated that he and the client considered various designs and felt it was the type of sign he needs. He stated that his personal tastes have nothing to do with the client's right to do what he wants with his business.

Mr. Hartley felt it would be a better product if the signs were at least similar in size and Mr. Gibbens stated he could make the signs the same size and bolt it together. He stated that the signs were separated because there were two suite spaces.

In response to Mr. Dunn, Mr. Omar stated it is the Council who was elected and although the Sign Control Board does good work, the Council is held to a different standard, the Council answers to the public and that was the reason the Council gets the opportunity to vote on sign cases. With regard to the joining of the two signs, he stated he would retain judgment if the applicant wanted to combine the signs but would still have concerns as to what it might look like and if it looked like two completely foreign signs attached with bolts, he would likely still have concerns. Mr. Gibbens stated he could make it one piece and Mr. Omar stated he could not guarantee he would be in favor of it until he could see it and he stated he would not be in favor of moving forward with the sign as it is presented.

With regard to the allowable size of the sign, Mr. Magner stated the total allowable sq ft is 74 and if the sign were increased by 16", it would still be within the allowable size, but the time and temperature element would still require a variance. Mr. Gibbens stated the desire is to keep people looking at the sign. Mayor Townsend stated he would prefer the signs be the same size, stated he understands the purpose of the time and temperature sign, and stated he would support the request.

ACTION TAKEN: Mr. Dunn moved approval of Item 9 with the stipulation to make the signs the same size; second by Ms. Maczka for discussion. Mr. Omar felt that if the majority of the Council has a concern with the time and temperature element being separate, it would be irresponsible for the Council to approve the request. Ms. Maczka stated she did not envision one large sign; she felt it should be two signs of the same size that look intentional. Mayor Townsend clarified that the motion is for two signs of the same size and called for the vote. Mr. Dunn and Mayor Townsend voted in favor; Mr. Omar, Mr. Mitchell, Mr. Hartley and Ms. Maczka voted in opposition. The motion failed.

ALL ITEMS LISTED UNDER ITEM 10 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

10. CONSENT AGENDA:

Mr. Omar asked to pull Item 10A for separate discussion and vote.

ACTION TAKEN: Mr. Omar moved to approve the remainder of the Consent Agenda; second by Ms. Maczka and the motion was approved with a 6-0 vote.

- A. Approve Resolution No. 12-01, approving and authorizing publication of Notice of Intention to Issue \$7,280,000 Certificates of Obligation.

The item was removed for separate discussion and action.

- B. Authorize advertisement of Bid #31-12 – Alley Paving Phase I & Sewer Improvements. Bids to be received by Thursday, March 8, 2012 at 2:00 P.M.

- C. Award of the following Bids:
 - 1. Bid #21-12 – Award Tegrity Contractors, Inc. for the 2012 Fire Station Maintenance and Renovations project in the amount of \$277,797.
 - 2. Bid #22-12 – Authorization to issue an Annual Requirements Contract to Southern Star Concrete for Ready Mix Concrete pursuant to unit prices.
 - 3. Bid #32-12 – Authorization to issue a Purchase Order to Commercial Fitness Solutions/CommFit for the fitness equipment for Heights Recreation Center pursuant to the City of Dallas contract #BL1107 in the amount of \$135,996.75.

ITEMS REMOVED FOR SEPARATE DISCUSSION AND ACTION

10A. Approve Resolution No. 12-01, approving and authorizing publication of Notice of Intention to Issue \$7,280,000 Certificates of Obligation.

Mr. Keffler referred to the presentation made during the budget discussions about the typical debt issuance with Certificates of Obligation and he explained the items that would be funded with the debt issuance as identified in the February 6 presentation.

ACTION TAKEN: Mr. Omar moved approval of Item 10A; second by Mr. Mitchell and the motion was approved with a 6-0 vote, Mr. Solomon absent.

Mayor Townsend noted that Council would reconvene the Work Session in the Richardson Room and adjourned the regular meeting at 9:56 p.m.


MAYOR

ATTEST:


CITY SECRETARY