# MINUTES

# RICHARDSON CITY COUNCIL WORK SESSION AND REGULAR MEETING MONDAY, OCTOBER 22, 2012

## WORK SESSION – 6:00 P.M.:

## • Call to Order

Mayor Townsend called the work session to order at 6:03 p.m. with the following Council members present:

**Bob Townsend** 

Mayor

Laura Maczka Mark Solomon Scott Dunn Kendal Hartley Steve Mitchell Amir Omar

Mayor Pro Tem Council member Council member Council member

Council member Council member

The following staff members were also present:

Dan Johnson

City Manager

David Morgan

Deputy City Manager

Cliff Miller

Assistant City Manager Development Services

Samantha Woodmancy

Management Analyst

Aimee Nemer

City Secretary

Kent Pfeil

Director of Finance

Marty Brennan

Director of Human Resources

Michael Spicer

Director of Development Services

Robbie Hazelbaker

Assistant Director of Recreation and Events

## A. Review and Discuss Items Listed on the City Council Meeting Agenda

## Item 8 - Cabana at Brick Row

## **Staff Comments**

Michael Spicer, Director of Development Services, reviewed this item stating that according to the Spring Valley Station District Regulations, building elevations must be approved by the City Council, upon recommendation by the City Plan Commission. Mr. Spicer explained that the proposed building elevations reflect the development of a one-story, 362 square foot cabana for a pool at Brick Row that will use similar facade materials as approved on Buildings A, B, C, D and E of the development. Mr. Spicer stated that the City Plan Commission unanimously recommended approval of the requested building elevations and the proposed elevations comply with those approved with the Concept Plan in January 2012.

#### Item 9 – Variance 12-09

## **Staff Comments**

Michael Spicer, Director of Development Services, reviewed this item stating that the applicant received approval for the development of a 162 unit, two-story apartment community with an associated leasing center, clubhouse and fitness center in February of this year. Mr. Spicer explained that some of the Commissioners expressed a desire to create a "gateway" for the City at this prominent corner. He stated that the applicant designed a gateway feature they feel benefits both the City and the development. Mr. Spicer stated that the applicant is requesting approval to waive the required perimeter wrought iron fence. Mr. Spicer stated that the City Plan Commission unanimously recommended approval of the request with the condition to require construction of the entry feature as presented prior to the issuance of the certificate of occupancy.

## **Council Comments**

Mayor Pro Tem Maczka stated that the neighborhood was very much in favor of the entry feature.

## B. Review and Discuss the Vendor Oversight Initiatives

## **Staff Comments**

Marty Brennan, Director of Human Resources, reviewed the Insurance Certificate Database used for City contracts explaining that the City's Technology department has created a searchable database that allows for electronic storage and reminder notifications of expiring contracts. Ms. Brennan explained that it is an ongoing project in which department users will be trained in order for departments to maintain, track, and create reports for vendor certificates of insurance. Ms. Brennan explained that the initiative of the database as well as the Service Organization Controls (SOC) meets the Near Term Council Action Item to "Evaluate vendor contract provisions using appropriate risk management techniques."

Kent Pfeil, Director of Finance, reviewed the City's standard practice for establishing a contract with a vendor/contractor which includes:

- Determining a scope of services reviewed by the appropriate department
- The scope of services is sent to the City Attorney's Office for review and contract development.
- The City Attorney's Office will consult with the City's Insurance Manager and broker representative to develop the insurance requirements for the specific contract.

Mr. Pfeil also reviewed Service Organization Controls and Audit Specifics as listed below:

## Service Organization Controls 1 (SOC 1) Report

- Reports on the system of internal control of a service organization (vendor) that is relevant to internal control over financial reporting of a user organization (client).
- Performed under AICPA Standards
- Previously known as a SAS70 Report
- Prepared by an independent auditor

## Soc1 Audit Specifics

- A SOC1 Audit will review the design and operating effectiveness of controls at a service organization
- Areas that might be reviewed for a typical organization include:
- Operations collections, cash handling, data handling, invoice processing, remittance to clients, etc.
- Control Environment policy and procedures
- Information & Communication procedures for setting up new clients, reporting to clients Information Systems software applications, physical security of systems, security of data and access to data, data backup and retention

Mr. Pfeil summarized the presentation stating that HR staff will continue to train department users on the use of the Insurance Certificate Database and staff will request SOC1 Audits for contracts when it makes sense and it is financially feasible. He explained that staff will also continue to work with the City Attorney to determine appropriate contract and review techniques for effective risk management control.

## **Council Comments**

Councilmember Omar asked how staff identifies which vendors require a SOC. Mr. Pfeil explained that it depends on whether or not the vendor handles billing, claims, or they have a direct financial impact. Mr. Omar asked if the Sherrill Park Golf Course would be subject to SOC1. Mr. Pfeil explained that the City is the only entity being provided a service by the course and there is much more oversight and control.

Councilmember Solomon asked about the City's limit for bonding. Mr. Pfeil explained that the City does require performance bonds. Mr. Solomon suggested adding a checkbox in the database that would indicate if a performance bond is required as well as a checkbox to indicate if the City is listed as additional insured. He also suggested adding the name of the insurance carrier.

Mayor Townsend asked Council if this Near Action Item can be marked completed. There was a consensus of Council that agreed the item was complete.

## C. Review and Discuss the Corporate Challenge Program

## **Staff Comments**

Robbie Hazelbaker, Assistant Director of Recreation and Events reviewed the 2012 Corporate Challenge statistics. He stated that since the Corporate Challenge began 15 years ago, \$1,200,000 has been given to Special Olympics Texas by corporate challenge employees and corporation contributions. Mr. Hazelbaker also reviewed a slide show of the events and reported on the following:

- In 2012, \$160,000 contributed
- 25% goes to the Richardson Roadrunners organization
- •As part of participating, companies are asked to raise a minimum of \$1,000

In addition to Mr. Hazelbaker's review, City Manager Johnson explained how Corporate Challenge allows the City to cultivate corporate relationships throughout the City as well as provide informal training situations for the Police and Fire Departments.

## **Council Comments**

The Mayor and each Councilmember expressed appreciation and offered congratulations to the staff on a successful event. Councilmember Hartley expressed his personal appreciation for the funds raised for Special Olympics and explained how those funds have provided for his son to attend a Special Olympics State Swim Meet.

## D. Report on Items of Community Interest

#### **Council Comments**

Councilmember Mitchell thanked Councilmember Hartley for sharing the impact to his family for the Special Olympics fundraising by the City of Richardson. Councilmember Mitchell recognized Mayor Pro Tem Laura Maczka for being nominated by Altrusa as Woman of the Year in the Small Business category. He also recognized Councilmember Amir Omar for being selected as Regional Community Leader of the Year by the Greater Dallas Asian American Chamber of Commerce.

Councilmember Solomon expressed condolences for the passing of former mayor, William Strange who was the mayor of Richardson when the city's population reached 25, 000. He also noted that Mr. Strange was a former president of the Texas Municipal League.

## **CONVENE INTO COUNCIL MEETING - 7:30 P.M.:**

- 1. INVOCATION SCOTT DUNN
- 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS SCOTT DUNN
- 3. MINUTES OF THE OCTOBER 8, 2012 AND OCTOBER 15, 2012 MEETINGS

## **Council Action**

Councilmember Omar moved to approve the Minutes as presented. Councilmember Hartley seconded the motion. A vote was taken and passed unanimously.

4. VISITORS

There were no visitors comments submitted.

5. PRESENTATION OF PROCLAMATION FOR KARATE CHAMPION TOM SCOTT.

Mayor Townsend presented a proclamation to Tom Scott.

6. CONSIDER APPOINTMENT OF HEALTH OFFICER FOR THE CITY OF RICHARDSON.

#### **Council Action**

Councilmember Dunn moved to appoint Dr. David Bonnet as the Health Authority for the City of Richardson. Councilmember Maczka seconded the motion. A vote was taken and passed 7-0.

# Oath of Office

Secretary Nemer administered the oath of office to Dr. Bonnet.

#### **PUBLIC HEARING ITEMS:**

7. CONTINUATION OF PUBLIC HEARING, ZONING FILE 12-11: A REQUEST BY JOHN S. KIRK, REPRESENTING EMBREY PARTNERS, LTD., FOR A CHANGE IN ZONING FROM I-FP(2) INDUSTRIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT FOR THE DEVELOPMENT OF A MULTI-FAMILY COMMUNITY TO BE LOCATED AT THE SOUTHEAST CORNER OF GREENVILLE AVENUE **AND** COLLINS **CURRENTLY** THE PROPERTY IS BOULEVARD. ZONED INDUSTRIAL. (CONTINUED FROM SEPTEMBER 24, 2012, CITY COUNCIL THE APPLICANT HAS REQUESTED TO CONTINUE THIS PUBLIC HEARING AT THE NOVEMBER 12, 2012, CITY COUNCIL MEETING.

# Council Action

Councilmember Solomon moved to grant a continuance on this public hearing to November 12, 2012. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

## **ACTION ITEMS:**

8. CONSIDER A REQUEST BY RICHARD HEIDENREICH, REPRESENTING CENTENNIAL PARK RICHARDSON LTD, FOR APPROVAL OF BUILDING ELEVATIONS FOR A CABANA AT A POOL AT BRICK ROW. THE SITE IS LOCATED AT 152 BRICK ROW AND IS ZONED PD PLANNED DEVELOPMENT.

## **Staff comments**

Michael Spicer, Director of Development Services reviewed this item.

#### Council Discussion

Councilmember Solomon asked if the land adjacent to the playground is open space. Mr. Spicer confirmed that it is.

## **Council Action**

Councilmember Mitchell moved to approve the request as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

9. VARIANCE 12-09: A REQUEST BY MARK HOUSEWRIGHT, REPRESENTING MASTERPLAN, FOR APPROVAL OF A VARIANCE TO THE SUBDIVISION AND DEVELOPMENT CODE, ARTICLE III, SECTION 21-58(B) TO REMOVE A PERIMETER FENCE AT ALTA CREEKSIDE. THE SITE IS LOCATED AT THE SOUTHEAST CORNER OF PRESIDENT GEORGE BUSH TURNPIKE AND CUSTER PARKWAY AND IS ZONED PD PLANNED DEVELOPMENT.

#### **Council Discussion**

Councilmember Omar asked if the entry signage would be constructed regardless of the fencing. A representative for the applicant explained that the cost-savings from not constructing the fence would provide the funding for the entry feature.

Mayor Pro Tem Maczka stated that the neighborhood is in favor of the entry sign. She also asked about trail connectivity. The applicant representative explained that they would be working with staff on trail connectivity once a path is determined by the residents.

Councilmember Solomon inquired about the fencing of the DART area. The applicant representative stated that DART would provide fending.

## **Council Action**

Councilmember Solomon moved to approve Variance 12-09 as presented. Mayor Pro Tem Maczka seconded the motion. A vote was taken and passed, 7-0.

#### 10. CONSENT AGENDA:

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.

#### A. ADOPTION OF THE FOLLOWING ORDINANCES:

- 1. ORDINANCE NO. 3887, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH SPECIAL CONDITIONS ON A 0.58-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED AT 1401 E. BELT LINE ROAD.
- 2. ORDINANCE NO. 3888, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A KARAOKE BAR WITH SPECIAL CONDITIONS IN A LEASE SPACE LOCATED ON A 20.0-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED AT 1310 W. CAMPBELL ROAD.

- B. CONSIDER RESOLUTION NO. 12-20, REGARDING ITS REVIEW OF CHAPTER 2 "ADMINISTRATION," ARTICLE I "CODE OF ETHICS" OF THE RICHARDSON CODE OF ORDINANCES.
- C. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING COMPETITIVE SEALED PROPOSALS:
  - 1. CSP #901-13 APPROVAL OF PLANS AND CONTRACT DOCUMENTS FOR THE PARK ON WEATHERRED DRIVE PROJECT. COMPETITIVE SEALED PROPOSALS TO BE RECEIVED BY THURSDAY, NOVEMBER 8, 2012 AT 2:00 P.M.
  - 2. CSP #902-13 APPROVAL OF PLANS AND CONTRACT DOCUMENTS FOR THE CENTRAL TRAIL PROJECT. COMPETITIVE SEALED PROPOSALS TO BE RECEIVED BY FRIDAY, NOVEMBER 16, 2012 AT 2:00 P.M.

#### D. CONSIDER AWARD OF THE FOLLOWING BIDS:

- 1. BID #53-12 WE RECOMMEND THE AWARD TO PAVECON, LTD. FOR THE 2010 STREET PHASE VII PAVEMENT REHABILITATION PROJECT AT NORTH BOWSER (FROM BELTLINE ROAD TO APPROXIMATELY 200 FEET NORTH OF APOLLO ROAD) AND SOUTH GROVE ROAD (FROM BELTLINE ROAD TO HIGHLAND BLVD.) IN THE AMOUNT OF \$943,804.15.
- 2. BID #06-13 WE RECOMMEND THE AWARD TO RELIABLE CHEVROLET FOR THE CO-OP PURCHASE OF THIRTEEN (13) CHEVROLET PURSUIT RATED POLICE TAHOE'S FOR THE POLICE DEPARTMENT THROUGH THE STATE OF TEXAS CONTRACT #071-072-A2 IN THE AMOUNT OF \$343,253.56.
- 3. BID #07-13 WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE PURCHASE ORDER TO DELL MARKETING L.P. FOR NETWORK DISASTER RECOVERY SOFTWARE THROUGH THE DEPARTMENT OF INFORMATION RESOURCES CONTRACT #DIRSDD-890-TX IN THE AMOUNT OF \$95,636.64.
- 4. BID #08-13 WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO FURNITURE MARKETING GROUP FOR THE CO-OP PURCHASE OF FURNITURE FOR THE HEIGHTS RECREATION, AQUATICS & GYMNASTICS CENTERS THROUGH VARIOUS TEXAS MULTIPLE AWARD SCHEDULE CONTRACTS #TXMAS-3-711050-1 (HAWORTH) TXMAS-4-7110270 (DAVIS), TXMAS-3-711010 (CAROLINA), TXMAS-4-7110380 (SPEC), TXMAS-3-7111020

(LANDSCAPE FORMS), AND TXMAS-4-7111020-2 (EMECO) IN THE AMOUNT OF \$128,835.25.

- 5. BID #09-13 WE REQUEST AUTHORIZATION TO ISSUE PURCHASE ORDER TO WASTEEQUIP FOR THE CO-OP PURCHASE OF REFUSE CONTAINERS THROUGH THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE BUYBOARD CONTRACT #357-10 IN THE AMOUNT OF \$99,981.
- E. AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER TO INCREASE PURCHASE ORDER 120650 TO JIM BOWMAN CONSTRUCTION FOR THE SIDEWALK REPAIR PROGRAM PHASE III REGIONS 5 & 6 IN THE AMOUNT OF \$106,000.

# **Council Action**

Councilmember Hartley moved to approve the Consent Agenda, Items A-E, as presented. Councilmember Dunn seconded the motion. A vote was taken and passed unanimously.

## **ADJOURNMENT**

With no further business, the meeting was adjourned at 7:53 p.m.

ATTEST:

CITY SECRETARY