

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AT 6:00 PM/COUNCIL MEETING AT 7:30PM
SEPTEMBER 9, 2013

WORK SESSION – 6:00 P.M.:

• **Call to Order**

Mayor Maczka called the meeting to order at 6:01 p.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

Absent:

Mark Solomon	Councilmember
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The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Michael Spicer	Director of Development Services
Kent Pfeil	Director of Finance
Gary Beane	Budget Officer
Robert Clymire	Assistant Budget Officer
Steve Spanos	Director of Engineering
Jim Lockart	Assistant Director of Engineering

A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA

Michael Spicer, Director of Development Services, reviewed Zoning File 13-15.

B. REVIEW AND DISCUSS THE 2010 BOND PROGRAM PROJECT UPDATE

Staff reviewed the progress of the 2010 Bond Program projects.

C. REVIEW AND DISCUSS THE STREETS MAINTENANCE, SCREENING WALLS, BRIDGE RAILINGS, TRAFFIC SIGNS AND MARKINGS IMPLEMENTATION PLAN FOR 2013-2014

Staff reviewed the implementation plan regarding these projects for 2013-2014.

D. REPORT ON ITEMS OF COMMUNITY INTEREST

On behalf of the Dallas Regional Mobility Coalition, Councilmember Mitchell reported that the first segment of the LBJ Express, from Preston Road to Greenville, will open in December.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. **INVOCATION – STEVE MITCHELL**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – STEVE MITCHELL**
3. **MINUTES OF THE AUGUST 14, 2013, AUGUST 17, 2013, AUGUST 24, 2013, AUGUST 26, 2013, AND SEPTEMBER 3, 2013 MEETINGS**

Council Action

Mayor Maczka noted that the August 24, 2013 and September 3, 2013 Minutes were not showing on the Council's copy of the agenda, therefore they would be considered for approval at the next regular meeting. Councilmember Mitchell moved to approve the remaining Minutes of the August 14, 2013, August 17, 2013, and August 26, 2013 meetings. Councilmember Dunn seconded the motion. A vote was taken and passed 6-0, with Councilmember Solomon absent.

4. VISITORS

The following residents addressed Council with concerns about a recent incident at the Oxford House located on Lamp Post Lane. They requested that Council do whatever is possible to eliminate the use of the house as a group home including code enforcement. Ms. Patti Stone also submitted a petition signed by 52 residents requesting to close the Oxford House.

Talmadge Stone
Thelma Farrach
Joseph Stephenson
Sarah Aldridge
Rebekah Hewitt
Anthony Torres
Tim Brown
Patti Stone

Mayor's Comments

Mayor Maczka made brief comments expressing the Council's concerns and sorrow for the incident and stated that Council has and continues to hear their concerns. She asked Mr. Johnson to make comments regarding the situation.

City Manager Comments

Mr. Johnson also expressed his concern and stated that the City is doing everything within its power to prevent any undesirable activity at the Oxford Home as well as throughout the City. He explained that the Oxford Home is protected by federal law and encouraged citizens to reach out to their federal representatives with their concerns.

Before continuing with the rest of the agenda, Mayor Maczka announced for the record that Councilmember Solomon was absent.

PUBLIC HEARING ITEMS:

5. **PUBLIC HEARING, ZONING FILE 13-15: A REQUEST BY MATT WELLS, ZOE'S KITCHEN, REPRESENTING STAR OF TEXAS REAL ESTATE LLC, TO**

AMEND A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE FOR REVISED BUILDING ELEVATIONS AT 222 W. CAMPBELL ROAD (NORTH SIDE OF CAMPBELL ROAD, WEST OF CENTRAL EXPRESSWAY). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

Council Action

After a review from staff, Council opened the Public Hearing at 8:24 p.m. The applicant, Matt Wells, was available to answer questions from Council. With no other public comments, Councilmember Hartley moved to close the Public Hearing at 8:25 p.m. Councilmember Dunn seconded the motion. A vote was taken and passed 6-0, with Councilmember Solomon absent.

Councilmember Mitchell moved to approve Zoning File 13-15 as presented with the revised elevations reflecting the changes granted in the ordinance to be approved administratively. Councilmember Hartley seconded the motion. A vote was taken and passed 6-0, with Councilmember Solomon absent.

ACTION ITEMS:

- 6. CONSIDER ORDINANCE NO. 4018, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014.**

Council Action

Councilmember Dunn moved to approve and adopt the budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014. Councilmember Hartley seconded the motion. A vote was taken and passed 6-0, with Mayor Maczka, Mayor Pro Tem Townsend, Councilmember Dunn, Councilmember Voelker, Councilmember Hartley, and Councilmember Mitchell voting in favor. Councilmember Solomon was absent.

- 7. CONSIDER ORDINANCE NO. 4019, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2013 (FISCAL YEAR 2013-2014) AT A RATE OF \$0.63516 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHARDSON AS OF JANUARY 1, 2013.**

Council/City Manager Comments

Prior to the vote, Mayor Maczka and City Manager Johnson explained the mandatory language required by the Truth in Taxation law, how the calculations are made, and that property taxes have not increased. Mr. Johnson stated that there is a 6% growth providing new revenue. Mayor Maczka explained that property valuations have increased and that 64% of residents have the same or lower valuations. Councilmember Dunn clarified that the larger portion of the tax burden is commercial rather than residential.

Council Action

Mayor Pro Tem Townsend moved that the property tax rate be increased by the adoption of a tax rate of \$0.63516, which is effectively a 3.44 percent increase in the tax rate. Councilmember Dunn seconded the motion. A vote was taken and passed 6-0, with Mayor Maczka, Mayor Pro

Tem Townsend, Councilmember Dunn, Councilmember Voelker, Councilmember Hartley, and Councilmember Mitchell voting in favor. Councilmember Solomon was absent.

8. CONSIDER RATIFYING PROPERTY TAX INCREASE IN THE ADOPTED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014.

Council Action

Mayor Pro Tem Townsend moved to ratify the property tax increase reflected in the budget adopted for the fiscal year beginning October 1, 2013 and ending September 30, 2014. Councilmember Hartley seconded the motion. A vote was taken and passed 6-0, with Mayor Maczka, Mayor Pro Tem Townsend, Councilmember Dunn, Councilmember Voelker, Councilmember Hartley, and Councilmember Mitchell voting in favor. Councilmember Solomon was absent.

9. CONSIDER ORDINANCE NO. 4020, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 23-98 TO ESTABLISH RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY.

Council Action

Councilmember Hartley moved to approve Ordinance No. 4020 as presented. Councilmember Mitchell seconded the motion. A vote was taken and passed 6-0, with Councilmember Solomon absent.

10. CONSIDER ORDINANCE NO. 4021, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING SECTION 23-168 TO ESTABLISH RATES TO BE CHARGED FOR SEWER SERVICES FURNISHED BY THE CITY.

Council Action

Councilmember Hartley moved to approve Ordinance No. 4021 as presented. Councilmember Voelker seconded the motion. A vote was taken and passed 6-0, with Councilmember Solomon absent.

11. CONSIDER ORDINANCE NO. 4022, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 19, SOLID WASTE, BY AMENDING ARTICLE I AND ARTICLE II IN PART TO PROVIDE FOR CERTAIN SOLID WASTE COLLECTION SERVICES BY FRANCHISE OR PERMIT.

Council Action

Councilmember Mitchell moved to approve Ordinance No. 4022 as presented. Councilmember Hartley seconded the motion. A vote was taken and passed 6-0, with Councilmember Solomon absent.

12. CONSIDER RESOLUTION NO. 13-18, ESTABLISHING VARIOUS FEES AND CHARGES FOR THE USE OF THE CHARLES W. EISEMANN CENTER.

Council Action

Mayor Pro Tem Townsend moved to approve Resolution No. 13-18 as presented. Councilmember Dunn seconded the motion. A vote was taken and passed 6-0, with Councilmember Solomon absent.

Council/City Manager Comments

Mayor Maczka thanked Mr. Johnson and the entire staff for their continuous work on the budget. She explained that Council has spent many hours reviewing the budget in detail. Mayor Pro Tem Townsend, Councilmember Dunn, Councilmember Hartley, Councilmember Voelker, and Councilmember Mitchell all commended Mr. Johnson and the staff for their work on the budget and providing a budget to focus on maintenance needs throughout the city without increasing taxes.

City Manager Johnson thanked Council for their dedication and clear direction regarding the budget. He also recognized the budget and finance teams, the City Manager's office, and all of the department heads.

13. CONSENT AGENDA:

A. ADOPTION OF THE FOLLOWING ORDINANCES:

- 1. ORDINANCE NO. 4023, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO AMEND ORDINANCE NO. 3850 BY APPROVING REVISED BUILDING ELEVATIONS FOR A DRIVE-THRU RESTAURANT ON A 1.29-ACRE TRACT ZONED LR-M(1) LOCAL RETAIL WITH SPECIAL CONDITIONS, SAID TRACT BEING DESCRIBED AS LOT 3A, BLOCK 2, UNIVERSITY WORLD ADDITION IN DALLAS COUNTY, TEXAS.**
- 2. ORDINANCE NO. 4024, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, BY AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE III ADMINISTRATIVE CODE; BY AMENDING SECTION 2-51(a) TO CORRECT THE TITLE OF THE ASSISTANT CITY MANAGER – ADMINISTRATIVE AND LEISURE SERVICES; AMENDING THE CITY ORGANIZATIONAL CHART AS SET FORTH IN SECTION 2-51(c); AMENDING SECTION 2-54(b)(3) TO CORRECT THE NAME OF THE BOARD OF ADJUSTMENT; AMENDING SECTION 2-56(b)(4) REGARDING TRAINING PROGRAMS CONDUCTED BY THE DIRECTOR OF HEALTH; AMENDING SECTION 2-56(b) BY DELETING PARAGRAPH (6) RELATING TO REGULATING THE SANITARY CONDITIONS OF MORGUES, CEMETERIES, ETC.; AMENDING SECTION 2-66(b) RELATING TO THE DUTIES OF THE DIRECTOR OF CAPITAL PROJECTS/ENGINEERING; AMENDING SECTIONS 2-68(a) AND 2-68(b) RELATING TO THE DUTIES OF THE DIRECTOR OF COMMUNICATIONS; AMENDING SECTION 2-69 REGARDING THE DEADLINE FOR THE NEXT BIENNIAL REVIEW OF THE ADMINISTRATIVE CODE; AND MAKING NON-SUBSTANTIVE**

**AMENDMENTS TO GRAMMAR, PUNCTUATION, AND/OR
FORMATTING TO SECTIONS 2-55(b)(9) AND 2-56(b)(13).**

- B. CONSIDER RESOLUTION NO. 13-19, PROVIDING A DELEGATION OF AUTHORITY PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2269.053 TO BCS WEST LAND INVESTMENTS, L.P. TO PERFORM THE PROCUREMENT TASKS AND FUNCTIONS REQUIRED OF THE CITY BY STATE LAW REGARDING THE SOLICITATION OF BIDS AND/OR PROPOSALS AND THE AWARD OF CONTRACTS FOR THE DESIGN AND CONSTRUCTION OF TRAILS TO BE LOCATED NORTH OF RENNER ROAD, WEST OF ROUTH CREEK PARKWAY AND EAST OF THE DART LINE, SOUTH OF LOT 2, BLOCK D OF THE BUSH CENTRAL STATION ADDITION (CSJ: 0918-24-167); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ONE OR MORE AGREEMENTS ON BEHALF OF THE CITY OF RICHARDSON WITH BCS WEST LAND INVESTMENTS, L.P. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 271.908(b) FOR THE DESIGN AND CONSTRUCTION OF SAID PROJECT.**
- C. APPROVAL OF FIRST PRESBYTERIAN CHURCH OF RICHARDSON AS A PARTICIPANT IN THE CITY OF RICHARDSON COMMUNITY GARDEN PARTNERSHIP PROGRAM.**
- D. CONSIDER AWARD OF THE FOLLOWING BIDS:**
- 1. BID #60-13 – WE RECOMMEND THE AWARD TO ESTRADA CONCRETE CO, LLC, FOR THE 2010 SIDEWALK REPLACEMENT PROJECT REGIONS 9 AND 11 IN THE AMOUNT OF \$1,224,620.**
 - 2. BID #65-13 – WE RECOMMEND THE AWARD TO TASER INTERNATIONAL FOR CONDUCTED ELECTRICAL DEVICES AND ACCESSORIES FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$65,345.39.**
 - 3. BID #68-13 – WE RECOMMEND THE AWARD TO IMAGESOFT, INC., FOR ADDITIONAL ONBASE SOFTWARE LICENSES AND SERVICES IN THE AMOUNT OF \$65,785.**
 - 4. RFP #703-13 – WE RECOMMEND THE AWARD TO MUNICIPAL SERVICES BUREAU FOR THE BEST VALUE AWARD OF THE MUNICIPAL COURT COLLECTION SERVICES IN AN ESTIMATED AMOUNT OF \$130,000.**
- E. AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER #3 TO INCREASE PURCHASE ORDER #121369 TO HILL & WILKINSON CONSTRUCTION FOR THE HEIGHTS PARK RECREATION & AQUATICS CENTER IN THE AMOUNT OF \$333,093.86 FROM FUNDED CONTINGENCY.**

Council Action

Councilmember Hartley moved to approve the Consent Agenda as presented. Mayor Pro Tem Townsend seconded the motion. A vote was taken and passed, 6-0 with Councilmember Solomon absent.

EXECUTIVE SESSION

In compliance with Section 551.087(1) and (2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Deliberation Regarding Economic Development Negotiations
 - Commercial Development – US 75/Arapaho Rd. Area

Council Action

Council convened into Executive Session at 8:55 p.m.

RECONVENE INTO REGULAR SESSION

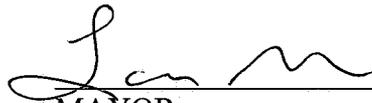
Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

Council Action

Council reconvened into regular session at 9:35 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:35 p.m.


MAYOR

ATTEST:


CITY SECRETARY

