

**RICHARDSON CITY COUNCIL  
MONDAY, NOVEMBER 2, 2020  
WORK SESSION AT 6:00 P.M.; COUNCIL MEETING AT 7:00 P.M.  
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

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The Richardson City Council will conduct a Work Session at 6:00 p.m. on Monday, November 2, 2020 in the Council Chambers of the Civic Center, 411 W. Arapaho Road, Richardson, Texas. The Work Session will be followed by a Council Meeting at 7:00 p.m. in the Council Chambers. Council will reconvene the Work Session following the Council Meeting if necessary.

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

**Attention: COVID-19 Public Meeting Protocol**

Citizens wishing to address the City Council can submit comments on any topic or agenda item, including public hearings, electronically by utilizing the Public Comment Card found here: [www.cor.net/PublicCommentForm](http://www.cor.net/PublicCommentForm). Comments must be received by 5:00 pm on the date of the meeting to be included in the public record. Citizens may address the City Council in person during the Visitors section of the meeting or during a public hearing. Due to social distancing, seating in the Council Chambers will be limited.

**WORK SESSION – 6:00 PM, COUNCIL CHAMBERS**

• **CALL TO ORDER**

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

*The City Council will have an opportunity to preview items listed on the Council Meeting agenda for action and discuss with City Staff.*

**B. REVIEW AND DISCUSS THE NORTH TEXAS MUNICIPAL WATER DISTRICT REGIONAL WATER CONTRACT AMENDMENT**

**C. REPORT ON ITEMS OF COMMUNITY INTEREST**

*The City Council will have an opportunity to address items of community interest, including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of Richardson; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of Richardson that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of Richardson; and announcements involving an imminent threat to the public health and safety of people in the City of Richardson that has arisen after posting the agenda.*

**COUNCIL MEETING – 7:00 PM, COUNCIL CHAMBERS**

**1. INVOCATION – MARK SOLOMON**

**2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – MARK SOLOMON**

**3. MINUTES OF THE SEPTEMBER 28, 2020, OCTOBER 5, 2020, OCTOBER 5, 2020 (BOARDS & COMMISSIONS), OCTOBER 12, 2020, OCTOBER 19, 2020, AND OCTOBER 26, 2020 MEETINGS**

**4. ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

**5. VISITORS**

*The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Citizens wishing to speak should complete a "Public Comment Card" and present it to the City Secretary prior to the meeting. Speakers are limited to 5 minutes and should conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However, your concerns will be addressed by City Staff, may be placed on a future agenda, or by some other course of response.*

**6. PRESENTATION OF A PROCLAMATION FOR A PURPLE HEART CITY RECOGNITION**

**7. CONSIDER APPOINTMENTS AND REAPPOINTMENTS TO THE CITY PLAN COMMISSION, CIVIL SERVICE BOARD, PARKS AND RECREATION COMMISSION, SIGN CONTROL BOARD, AND TAX INCREMENT FINANCING BOARDS.**

**PUBLIC HEARING ITEM:**

**8. PUBLIC HEARING, ZONING FILE 20-10, A REQUEST FOR MAJOR MODIFICATIONS OF THE DEVELOPMENT STANDARDS OF THE W. SPRING VALLEY PD PLANNED DEVELOPMENT ON 3.004-ACRES LOCATED AT 910 SPRING VALLEY PLAZA, THE NORTHWEST CORNER OF W. SPRING VALLEY AND SPRING VALLEY PLAZA FOR AN APARTMENT DEVELOPMENT.**

**Citizens wishing to address the City Council can submit comments electronically by 5:00 p.m. by utilizing the Public Comment Card found here: [www.cor.net/PublicCommentForm](http://www.cor.net/PublicCommentForm).**

**ACTION ITEMS:**

**9. CONSIDER ADOPTION OF ORDINANCE NO. 4361, REGARDING THE REVIEW OF THE CODE OF ETHICS, CHAPTER 2, ARTICLE I OF THE CODE OF ORDINANCES; AMENDING SECTION 2-3 UPDATING THE DEFINITION OF OFFICERS; AMENDING 2-5 TO ADD SUBSECTION (d) AND (e) TO REQUIRE CITY COUNCIL COMPLIANCE WITH PERSONAL FINANCIAL STATEMENT REQUIRED UNDER CHAPTER 145 TEXAS LOCAL GOVERNMENT CODE AND CITY COUNCIL COMPLIANCE WITH THE CONFLICTS DISCLOSURE STATEMENT REQUIRED UNDER TEXAS LOCAL GOVERNMENT CODE CHAPTER 176; AMENDING SECTION 2-7 (c) AND (f) TO PROVIDE THE CITY ATTORNEY AND OUTSIDE LEGAL COUNSEL WITH THE SAME SUBPOENA POWER AS THE CITY COUNCIL; AND ADDING SECTION 2-11 ACKNOWLEDGEMENT OF CODE OF ETHICS.**

**10. CONSIDER RESOLUTION NO. 20-21, ADOPTING A SOCIAL MEDIA POLICY FOR ELECTED OFFICIALS AND CITY COUNCIL-APPOINTED BOARD AND COMMISSION MEMBERS.**

**11. CONSENT AGENDA:**

*All items listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be removed from the Consent Agenda and discussed separately.*

**A. CONSIDER THE FOLLOWING RESOLUTIONS:**

**1. RESOLUTION NO. 20-22, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.**



## City Council Worksession Agenda Item Summary

<b>Worksession Meeting Date:</b>	November 2, 2020
<b>Agenda Item:</b>	Review and Discuss the North Texas Municipal Water District Regional Water Contract Amendment
<b>Staff Resource:</b>	Don Magner, Deputy City Manager
<b>Summary:</b>	City staff will provide an overview of the recently announced amendments to the North Texas Municipal Water District Regional Water Contract that will result in a new water rate methodology being implemented. Staff will also provide an overview of next steps as the Public Utility Commission works to dismiss the outstanding cases challenging prior year rates.
<b>City Council Strategic Goals:</b>	<p>This agenda item helps further the following City Council Strategic Goals:</p> <ul style="list-style-type: none"><li>• Enhance the quality of life of our stakeholders</li><li>• Improve customer experience in interactions with the City</li><li>• Effective and efficient management of city finances</li><li>• Leverage our regional leadership position to positively impact County, State and Federal issues</li></ul>
<b>Background Information:</b>	Council will consider renewal at a future meeting.
<b>Financial Implications:</b>	NA

**MINUTES**  
**RICHARDSON CITY COUNCIL**  
**WORK SESSION AND COUNCIL MEETING**  
**SEPTEMBER 28, 2020**

- **Call to Order**

Mayor Voelker called the meeting to order at 6:00 p.m. with the following Council members present:

Paul Voelker	Mayor
Janet DePuy	Mayor Pro Tem
Bob Dubey	Councilmember
Mark Solomon	Councilmember
Kyle Kepner	Councilmember
Ken Hutchenrider	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	Deputy City Manager
Kent Pfeil	Chief Financial Officer
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Jessica Almendarez	Management Analyst
Michael Spicer	Director of Development Services
Cara Copley	Assistant Finance Director

**WORK SESSION – 6:00 PM, RICHARDSON ROOM**

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

Michael Spicer, Director of Development Services, reviewed Zoning File 20-16.

**B. REVIEW AND DISCUSS THE ATMOS ENERGY RATE REVIEW SETTLEMENT ACTION**

Cara Copley, Assistant Finance Director, reviewed the 2020 rate request, settlement agreement, and proposed rates.

**Proposed Rates**

*Monthly Customer Charge:*

Class	Current Rate	Proposed Rate
Residential	\$19.55	\$20.25
Commercial	\$46.50	\$54.50

*Consumption charge (based on cubic feet of gas (Ccf)):*

Class	Current Rate	Proposed Rate
Residential	\$0.17423	\$0.26651
Commercial	\$0.09924	\$0.11728

## **C. REVIEW AND DISCUSS THE CITY COUNCIL GOALS FOR THE 2019-2021 COUNCIL TERM – TACTICS UPDATE**

Don Magner, Deputy City Manager, reviewed the City Council goals for the 2019-2021 term and provided a status of completed (C), ongoing (O), in progress (P), or deferred (D).

### **Enhance the quality of life of our stakeholders**

- C-Transition Library software to the “cloud” to enhance customer service
- C-Attain Heart Safe Community designation from American Heart Association
- P-Promote participation in the 2020 Census
- P-Facilitate review and consideration of possible future bond program
- P-Enhance the traffic management system infrastructure and continue to evaluate the timing and implementation schedule for the central traffic system software
- P-Progress the Duck Creek, Breckinridge and Spring Creek Nature Area trail projects
- P-Conduct biannual review of Code of Ethics
- D-Explore alternatives for emergency housing repair assistance programs

### **Protect and strengthen stakeholder investments in the City**

- C-Review food truck regulations to ensure an informed approach
- O-Continue to provide support and resources to Richardson neighborhoods
- P-Sustain efforts to complete the 2015 bond program in a manner that is financially responsible, maximizes project opportunities and is clearly communicated with citizens and key stakeholders
- P-Adopt 2018 International Family of Codes
- P-Collaborate with institutional partners, property owners and citizens during construction of Northside Water Tower
- P-Explore opportunities to restructure the Apartment Inspection Program
- P-Identify infill areas and explore regulations to ensure desirable redevelopment
- D-Explore options for expanding the street median maintenance program

### **Increase the sense of community and citizen engagement**

- O-Seek new opportunities to enhance the City’s promotion of multicultural offerings in the community
- O-Enhance information and resources regarding the Environmental Partnership Initiatives Program and Richardson Re-Plants
- O-Further public awareness about emergency management notifications and initial response
- O-Examine the City’s social media presence and opportunities
- P-Implement the Veterans Partnership Initiatives Program
- D-Conduct Richardson CARES Class III
- D-Enhance community outreach efforts with Eisemann Center Presents performers

### **Enhance the customer experience in interactions with the City**

- O-Continue to offer periodic Richardson-specific customer service training for all staff; provide Richardson-specific customer service training for new employees
- P-Develop a plan and begin to implement betterments for improved accessibility for customers
- P-Continue to implement the Library’s 2018-2023 Strategic Plan
- D-Explore creation of online resources to improve customer engagement
- D-Expand utilization of customer service evaluation tools and feedback methods on specific City services and events

### **Manage city finances effectively and efficiently**

- C-Evaluate property tax exemptions in conjunction with financial policies
- C-Review outstanding debt for future refunding opportunities
- C-Review utility billing practices for operational efficiencies
- O-Benchmark fees/revenues and consider strategic fee recommendations
- O-Develop budget strategies that prepare the City for the impact of Senate Bill 2 requirements
- O-Continually refine budgetary precision strategies to enhance the community's understanding of key service delivery considerations

### **Pursue public/private partnerships and contributions**

- C-Continue to identify opportunities for private participation/contributions and update information on the philanthropy pages on the City's website
- O-Explore opportunities to enrich citywide strategy to cultivate philanthropy and sponsorships of city services and events
- P-Further public/private partnerships explorations in the Collins/Arapaho and Main Street areas
- D-Initiate and refine the Eisemann Edge Endowment Fund annual offering in partnership with UT Dallas

### **Integrate innovative business processes**

- C-Migrate communication devices to FirstNet for public safety and emergency communication purposes
- O-Continue to evaluate smart city initiatives for appropriateness
- O-Enhance cybersecurity preparedness
- P-Expand Cityworks to the Traffic and Parks Departments
- P-Implement the hand-held ticket writing system for the Police Department
- P-Begin implementation of key software components of the city's legacy enterprise resource planning systems
- P-Continue implementation of the water meter replacement program and automated meter reading technology
- P-Achieve designation from the Texas Fire Chiefs Best Practices Program

### **Attract, develop, and retain quality City employees**

- C-Evaluate and develop recommendations regarding the City's compensation and benefits package for consideration in the development of the annual budget to ensure that both elements remain financially sustainable and market competitive
- C-Analyze and consider public safety compensation and benefit needs in the context of Senate Bill 2 funding constraints
- O-Develop customized departmental recruitment/retention strategies for competitive recruitment scenarios
- P-Further implement security improvements at City facilities to enhance safety and security for customers and employees
- D-Continue to offer and enhance a training programs focused on supporting supervisors
- D-Offer inaugural COR Leadership Academy II

### **Attract and retain targeted businesses; Increase the number, quality, and variety of job opportunities throughout the City**

- O-Conduct outreach campaign to targeted businesses in the Innovation District thru on-site visitations, Mayor's luncheons, surveys and other means
- O-Explore alternatives to further support small, locally owned businesses

**P**-Launch entrepreneurial support initiatives in collaboration with local, regional and national partners for start-ups and emerging growth companies in the Innovation District and other key commercial areas of Richardson

**D**-Undertake a study and execute a plan to attract a destination entertainment venue(s) to Richardson

**D**-Develop strategies to motivate landlords of older Class A & B office buildings in Richardson to renovate their properties to make them more enticing to prospective tenants

**Leverage our regional leadership position to positively impact County, State and Federal issues**

**O**-Enhance legislative advocacy on key issues by enriching engagement with elected officials at the county, state and federal level

**O**-Continue encourage and support service on regional boards and committees

**P**-Closely monitor the result of legislation and share unintended consequences with elected officials and citizens

**P**-Actively support, promote, and partner with Collin County and Dallas County to advance coordinated development and redevelopment of infrastructure and transportation network for the benefit of the North Texas region

**P**-Further development of regional mutual operations agreements

**Leverage media to effectively tell the Richardson story**

**P**-Evaluate current messaging and identify opportunities for targeted regional outreach with measurable results

**P**-Evaluate social/digital media tools, channels, messages, and benchmark with peer cities/others

**P**-Explore options for theme and/or tagline development that would reinforce the Council's vision and goals

**Additional strategies**

**P**-October 2019 Tornado Response

**P**-COVID-19 Response

**P**-Hurricane Laura Response

**P**-Continue to work on resolution for NTMWD alternative rate methodology

**P**-DART Zoom (bus route planning) Participation / Support

**P**-Further Arapaho Station redevelopment opportunities

**P**-Continue to build on multi-year infrastructure maintenance strategies

**P**-Ongoing work to finalize design and constructions of Silver Line rail, stations and art, and trail

**P**-Development of public open space plaza adjacent to UT Dallas Silver Line Station

**P**-Development of permanently dedicated public parking in the Galatyn Station area

**D. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

**COUNCIL MEETING – 7:00 PM, COUNCIL CHAMBERS**

**1. INVOCATION – BOB DUBEY**

**2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – BOB DUBEY**

**3. MINUTES OF THE SEPTEMBER 14, 2020, SEPTEMBER 14, 2020 (BOARDS & COMMISSIONS), AND SEPTEMBER 21, 2020 MEETINGS**

**Council Action**

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

**4. ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

There were no public comment cards submitted.

**5. VISITORS**

Tom Huch, 3406 Sweetwater Drive, addressed Council regarding storm pipes for residential lots.

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

**Council Action**

Councilmember Solomon moved to appoint Dr. Dave Bonnet as the City Health Officer for a term October 13, 2020 to October 13, 2022. Councilmember Hutchenrider seconded the motion. A vote was taken and passed, 7-0.

**PUBLIC HEARING ITEM:**

**7. PUBLIC HEARING, ZONING FILE 20-16, AND CONSIDER ADOPTION OF ORDINANCE NO. 4360, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM PD PLANNED DEVELOPMENT TO PD PLANNED DEVELOPMENT BY ADOPTING A CONCEPT PLAN, AMENDING THE PERMITTED USES AND PARKING RATIO FOR 5.455 ACRES LOCATED 401 W. PRESIDENT GEORGE BUSH HIGHWAY, RICHARDSON, TEXAS.**

**Public Hearing**

After a review by staff, Mayor Voelker opened the Public Hearing. The applicant was available for Council questions. With no public comments submitted, Mayor Voelker closed the Public Hearing with a motion by Councilmember Solomon, second by Councilmember Hutchenrider, and unanimous approval.

**Council Action**

Mayor Pro Tem DePuy moved to approve the request and the ordinance as presented. Councilmember Mitchell seconded the motion. A vote was taken and passed, 7-0.

**8. CONSENT AGENDA:**

**A. CONSIDER AWARD OF THE FOLLOWING BIDS:**

- 1. BID #79-20 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT FOR SECURITY GUARD SERVICES TO ANDY FRAIN SERVICES, INC. PURSUANT TO UNIT PRICES.**

2. **BID #82-20 – WE RECOMMEND THE AWARD TO RELIABLE PLANT MAINTENANCE FOR FIRE STATION #6 OUTSIDE AIR HVAC UPGRADES IN THE AMOUNT OF \$60,775, WHICH INCLUDES BID ALTERNATES NO. 1 AND 2.**
3. **BID #91-20 – WE RECOMMEND THE AWARD TO AXON ENTERPRISE, INC. FOR THE COOPERATIVE PURCHASE OF AXON EQUIPMENT, SOFTWARE, AND SERVICES FOR THE POLICE DEPARTMENT OVER A FIVE-YEAR PERIOD THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #568-18 IN THE TOTAL AMOUNT OF \$2,696,206.47.**
4. **BID #92-20 – WE RECOMMEND THE AWARD TO CORE CONSTRUCTION, INC. FOR A COOPERATIVE JOB ORDER CONTRACT ("JOC") FOR FIRE TRAINING CENTER DRAFT TANK UPGRADES AND DRIVEWAY AND SIDEWALK REPAIRS THROUGH THE REGION VIII EDUCATION SERVICE CENTER'S COOPERATIVE PURCHASING PROGRAM, THE INTERLOCAL PURCHASING SYSTEM ("TIPS"), ON CONTRACT #200201 IN THE AMOUNT OF \$57,476.16.**
5. **BID #93-20 – WE REQUEST AUTHORIZATION TO ISSUE PURCHASE ORDERS FOR THE COOPERATIVE PURCHASE OF HVAC UPGRADES AT VARIOUS FACILITIES TO TRANE (\$491,678) THROUGH OMNIA PARTNERS CONTRACT #15-JLP-023 AND CLIMATEC, LLC (\$109,977) THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #558-18.**
6. **BID #94-20 – WE RECOMMEND RATIFICATION OF THE EMERGENCY REPAIR OF 30" TRANSMISSION WATER MAIN TO REY-MAR CONSTRUCTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 252.022(A)(2)(3) IN THE AMOUNT OF \$59,753.25.**
7. **BID #95-20 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO TYMCO, INC. FOR THE COOPERATIVE PURCHASE OF ONE (1) TYMCO 435 REGENERATIVE AIR SWEEPER FOR THE PARKS DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS ("HGAC") CONTRACT #SW04-20 IN THE AMOUNT OF \$172,700.**
8. **BID #96-20 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO PROFESSIONAL TURF PRODUCTS FOR THE COOPERATIVE PURCHASE OF ONE (1) TORO 5910 GROUNDSMASTER HIGH-SPEED TURF MOWER AND ONE (1) TORO WORKMAN HDX UTILITY VEHICLE FOR THE PARKS DEPARTMENT THROUGH THE LOCAL GOVERNMENT**

**PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #611-20 IN THE AMOUNT OF \$143,796.21.**

- 9. BID #97-20 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MAC HAIK DODGE CHRYSLER JEEP FOR THE COOPERATIVE PURCHASE OF ONE (1) DODGE RAM 4500 WITH 14' TYPE 1 MOBILE INTENSIVE CARE UNIT ("MICU") MODULE FOR THE FIRE DEPARTMENT (STATION NO. 3) THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS ("HGAC") CONTRACT #AM10-20 IN THE AMOUNT OF \$230,471.**
- 10. BID #98-20 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO EQUIPMENT DEPOT TEXAS, INC. FOR THE COOPERATIVE PURCHASE OF ONE (1) MITSUBISHI FD70N1 DIESEL LIFT TRUCK THROUGH SOURCEWELL CONTRACT #101816-MCF IN THE AMOUNT OF \$82,763.65.**
- 11. BID #99-20 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO CHASTANG ENTERPRISES INC. FOR THE COOPERATIVE PURCHASE OF TWO (2) AUTOCAR ACX64 CAB/OVER CHASSIS W/WITTKE LABRIE STARLIGHT 40-YARD FRONT LOADER REFUSE BODIES FOR THE PUBLIC SERVICES DEPARTMENT THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #601-19 IN THE AMOUNT OF \$588,164.**

**Council Action**

Councilmember Hutchenrider moved to approve the Consent Agenda as presented. Councilmember Dubey seconded the motion. A vote was taken and passed, 7-0.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:26 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL WORK SESSION MEETING**  
**OCTOBER 5, 2020**

- **Call to Order**

Mayor Voelker called the meeting to order at 6:00 p.m. with the following Council members present:

Paul Voelker	Mayor
Janet DePuy	Mayor Pro Tem
Bob Dubey	Councilmember
Mark Solomon	Councilmember
Kyle Kepner	Councilmember
Ken Hutchenrider	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	Deputy City Manager
Aimee Nemer	City Secretary
Pete Smith	City Attorney

**WORK SESSION – 6:00 PM, RICHARDSON ROOM**

**A. ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

There were no public comment cards submitted.

**B. VISITORS**

Tom Huch, 3406 Sweetwater Drive, addressed Council regarding building inspections.

**EXECUTIVE SESSION**

In compliance with Section 551.071 (1) and (2) and Section 551.087(1) and (2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Consultation with City Attorney
  - Briefing to Discuss the Code of Ethics Ordinance Renewal
- Deliberation Regarding Economic Development Negotiations
  - Commercial Development – U.S. 75/Renner Rd. Area

**Council Action**

Council convened into Executive Session at 6:15 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 7:38 p.m. Councilmember Kepner moved to authorize the City Manager to negotiate and execute on behalf of the City of Richardson an economic development agreement for Project Turnpike in the Glenville Drive/Lookout Drive area. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

### **c. REVIEW AND DISCUSS THE CODE OF ETHICS ORDINANCE RENEWAL**

Don Magner, Deputy City Manager, reviewed the following recommended refinements and amendments to the Code of Ethics.

### **Recommended refinements**

*Officer or official* means any member of the city council and any appointed member of a city board, commission or committee established by ordinance, Charter, state law or otherwise, on a temporary or permanent basis, operating either under the direct or indirect authority or subject to either the direct or indirect control of the city council. Such term includes but is not limited to the members of the city plan commission, the board of adjustment, the building and standards commission, the tax increment reinvestment financing zone boards of directors, the civil service board and appeals board, the library board, the parks and recreation board, the cultural arts commission, animal shelter advisory board, and the sign control board environmental advisory commission. Such term also includes the members of the boards of directors of corporations, such as the Richardson Improvement Corporation.

#### Sec. 2-5 – Additional Standards

(d) No member of the city council shall fail or refuse to file a personal financial statement as required by Texas Government Code Chapter 145, as amended.

(e) No member of the city council shall fail or refuse to file a conflicts disclosure statement as required by Texas Government Code Chapter 176, as amended.

### **Recommended Amendments**

#### Sec. 2-7 – Complaints against officers

(c) If it is determined by the city attorney that the facts as alleged could constitute a violation of this code of ethics, then the city attorney shall, within 15 business days after receipt of the complaint, notify the mayor and city council members of the existence and nature of the complaint. The city council shall cause a meeting to convene, whether regular or special, within 15 business days after being so notified by the city attorney to further consider said complaint in executive session with mayor or any three members of the city council (excluding the mayor) causing such a meeting to be convened. In any event, the city attorney shall immediately proceed to fully investigate the alleged improprieties. For purposes of this investigation, the city attorney shall have all of the powers of investigation as are given to the city council by reason of the City Charter and shall report back to the city council as soon as possible but in no event more than 15 business days from the date of notification of the city council unless an extension is granted by the city council. Said report shall be comprehensive and explain in detail all facts, findings and conclusions in support of the city attorney's opinion as to whether a violation of this code of ethics occurred. The city attorney has the same power to subpoena witnesses and the production of documents, books, records and other evidence as are given the City Council under the City Charter when acting pursuant to this subsection. It shall be unlawful and an offense for any person to fail to obey a subpoena or to produce books, papers or other evidence as ordered under the provisions of this section and shall constitute a misdemeanor and shall be punishable by fine not to exceed two hundred dollars (\$200.00)."

Sec. 2-7 – Complaints against officers

(f) The city council may appoint outside legal counsel or may direct the city attorney to appoint outside legal counsel, or the city attorney in the city attorney's discretion, may appoint outside legal counsel, to perform the duties and responsibilities of the city attorney under subsections (b), (c) and (d) of this section. The outside legal counsel shall have the same power to subpoena witnesses and the production of documents, books, records and other evidence as the city attorney under section (c) when acting pursuant to this subsection. It shall be unlawful and an offense for any person to fail to obey a subpoena or to produce books, papers or other evidence as ordered under the provisions of this section and shall constitute a misdemeanor and shall be punishable by fine not to exceed two hundred dollars (\$200.00).

Sec. 2-11. – Acknowledgement of Code of Ethics.

The city will provide each officer a copy of the Code of Ethics at the time such person is initially elected or appointed. Each officer shall within ninety (90) days after such person is initially elected or appointed file with the city secretary an acknowledgement, in a form provided by the city, that such person has received a copy of, and has read the Code of Ethics.

**D. REVIEW AND DISCUSS SOCIAL MEDIA POLICY FOR ELECTED AND APPOINTED OFFICIALS**

Don Magner, Deputy City Manager, reviewed the elements of the proposed social media policy for elected and appointed officials.

- Application
- Definitions
- Best Practices & Guidelines
- Professional & Personal Conduct Standards

**E. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:23 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL**  
**WORK SESSION AND EXECUTIVE SESSION MEETING**  
**OCTOBER 5, 2020**

- **Call to Order**

Mayor Voelker called the meeting to order at 8:32 p.m. with the following Council members present:

Paul Voelker	Mayor
Janet DePuy	Mayor Pro Tem
Bob Dubey	Councilmember
Mark Solomon	Councilmember
Kyle Kepner	Councilmember
Ken Hutchenrider	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	Deputy City Manager
Aimee Nemer	City Secretary

**A. VISITORS**

There were no visitors' comments submitted.

**B. REVIEW AND DISCUSS APPOINTMENTS/REAPPOINTMENTS TO THE CULTURAL ARTS COMMISSION, LIBRARY BOARD, PARKS AND RECREATION COMMISSION, SIGN CONTROL BOARD, AND TAX INCREMENT FINANCING BOARDS.**

Council discussed appointments and reappointments to the above listed boards.

**C. EXECUTIVE SESSION**

In compliance with Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Deliberation Regarding Personnel Matters
  - Consider appointments/reappointments to the City Plan Commission, Civil Service Board, and Zoning Board of Adjustment/Building and Standards Commission

**Council Action**

Council convened into Executive Session at 8:33 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 9:44 p.m. There was no action as a result of the Executive Session.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 9:44 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL**  
**WORK SESSION MEETING & CITY HALL/LIBRARY TOUR**  
**OCTOBER 12, 2020**

• **Call to Order**

Mayor Voelker called the meeting to order at 6:00 p.m. with the following Council members present:

Paul Voelker	Mayor
Janet DePuy	Mayor Pro Tem
Bob Dubey	Councilmember
Mark Solomon	Councilmember
Kyle Kepner	Councilmember
Ken Hutchenrider	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	Deputy City Manager
Kent Pfeil	Chief Financial Officer
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Jessica Almendarez	Management Analyst
Shawn Poe	Director of Engineering
Jim Dulac	Assistant Director of Engineering

**WORK SESSION – 6:00 PM, RICHARDSON ROOM**

**A. ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

There were no public comment cards submitted.

**B. VISITORS**

There were no visitors' comments submitted.

**C. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

**D. TOUR OF RICHARDSON PUBLIC LIBRARY AND RICHARDSON CITY HALL**

Council toured the Richardson Public Library and Richardson City Hall.

**The City Council will recess the meeting and depart the Civic Center/City Hall and walk to the Richardson Public Library to tour the facility at 900 Civic Center Dr., Richardson, TX 75080.**

**Immediately following the tour of the Richardson Public Library, the City Council will walk back to Richardson City Hall to tour the facility at 411 W. Arapaho Rd., Richardson, TX 75080.**

**Immediately following the tour of Richardson City Hall, the City Council will reconvene into Work Session in the Richardson Room to conclude Item D.**

**E. REVIEW AND DISCUSS COVID-19 RESPONSE**

Don Magner, Deputy City Manager, provided an update regarding the COVID-19 response to include a review of Executive Order GA-32 and facility planning for the November election.

**EXECUTIVE SESSION**

In compliance with Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Personnel Matters
  - Evaluation of the City Manager

**Council Action**

Council convened into Executive Session at 7:45 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 9:15 p.m. There was no action as a result of the Executive Session.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 9:15 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL**  
**WORK SESSION MEETING**  
**OCTOBER 19, 2020**

• **Call to Order**

Mayor Voelker called the meeting to order at 6:00 p.m. with the following Council members present:

Paul Voelker	Mayor
Janet DePuy	Mayor Pro Tem
Bob Dubey	Councilmember
Mark Solomon	Councilmember
Kyle Kepner	Councilmember
Ken Hutchenrider	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	Deputy City Manager
Kent Pfeil	Chief Financial Officer
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Jessica Almendarez	Management Analyst

**WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM 1103, RICHARDSON POLICE DEPARTMENT**

**A. ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

Laurie Garvie, 415Valley Cove Drive, submitted a form relaying appreciation for the Richardson Symphony Orchestra Mobile Concert.

**B. VISITORS**

Tom Huch, 3406 Sweetwater Drive, addressed Council regarding residential permit issues.

**C. REVIEW AND DISCUSS THE DALLAS CENTRAL APPRAISAL DISTRICT AND COLLIN CENTRAL APPRAISAL DISTRICT 2020-2021 CERTIFIED TAX ROLL**

Keith Dagen, Finance Director, reviewed the final certified tax roll from the appraisal districts, explained the difference from the certified estimates previously provided, and reviewed future fiscal and increased property tax revenue considerations.

**D. REVIEW AND DISCUSS THE 2021 BOND PROGRAM PLANNING STATUS REPORT**

Don Magner, Deputy City Manager, reviewed this item for Council.

Bond Program Assessments/studies Underway

- Streets, Alleys, Pavement Marking, Traffic Signs Condition Assessment
- City Hall & Library Master Plan
- Drainage Assessment

- Parks Assessment/Planning
  - Apollo Property Study
  - Breckinridge Park Study
  - Playgrounds Assessment
  - Trail Assessment
- Opinion of probable cost for street, trail, signage/wayfinding improvement projects in the Richardson IQ and The CORE
- Arapaho Center Station Area Planning & Bus Transit Center Relocation/ Reconfiguration Study
- Other assessments and studies are being evaluated and may be commissioned if needed
  
- G.O. Capacity Modeling Assumptions
- Modeling assumes property tax values will:
- FY 2021-22: Decline 2%
  - FY 2022-23 and 2023-24: Remain flat
  - FY 2024-25 through FY 2029-30: Increase 1.25% per year
    - Cumulative growth of 0.5% over the next 5 years factors COVID impacts on commercial values
- Conservative interest rate projections of 4.50% to 5.75% for future debt issuance
  - Series 2020 - 2.18% to 2.39%
- Considering the factors listed above, capacity is primarily added as old debt is paid off
- Modeling assumes a 5-year serial sale GO Bond Program
- No tax rate increase required
- Leaves room for supplemental issuance in later years if needs arise
- 
- G.O. CAPACITY Estimate/refinements
- Considering these planning assumptions, the November 2021 GO Bond capacity is tentatively estimated to be \$170 million (or range of \$160 to \$180 million)
- Several inputs will be monitored in the coming months as we finalize total capacity:
  - Fall and Spring DCAD/CCAD updates with estimated value projections
  - National and local economies
  - Results of Series 2021 Debt Sale
  - 2021 Legislative Session Impacts
  - Estimated timing of key projects for bond program
  - Monitoring bond market and variable rate issuance opportunities
- 
- Project Selection Considerations
  - Does the project help achieve or further City Council's Goals?
  - Does the project build on other strategic investment in the community to achieve a vision?
  - Does the project have the potential to be catalytic or transformational?
  - Does the project require immediate attention?
  - Can the project be implemented in phases?
  - Can the project be done in a way that limits disruption to operations and services to citizens?
  - Are there additional operating cost considerations associated with the project?

- If the project is not selected, is the project scope and cost within the capacity of likely future GO Bond Programs?
- If the project is not selected, are there other non-GO Bond Program future funding and implementation opportunities?

**E. REVIEW AND DISCUSS CITY HALL/CIVIC CENTER/LIBRARY MASTER PLAN UPDATE**

Shawn Poe, Director of Engineering, reviewed this item for Council.

- History of City Facility Improvements/Library and City Hall Facilities
- Review of Civic Campus Master Plan Guiding Principles and Process Overview
- Overview of Structure and Infrastructure Assessments
- Review of Key Findings from Civic Campus Master Plan
- Review and Discuss Library and City Hall Options
- Review Key Questions
- Next Steps
  - Answer questions and receive City Council preliminary feedback: October 19<sup>th</sup>
  - Schedule follow-up briefing in January for consideration of modular options, if desired
  - Provide overview of findings for Library Board: November 11<sup>th</sup> meeting
  - City Council provide direction regarding future bond program planning: January 2021-March 2021
  - Streets, Parks, Transportation, Drainage, Richardson IQ/CORE Infrastructure, Other City Facilities/Civic Campus
  - Develop options considering facilities workplan based on City Council direction: March-August 2021

**F. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

**G. CONSENT AGENDA:**

**A. CONSIDER AWARD OF THE FOLLOWING BIDS:**

- 1. BID #66-20 – WE RECOMMEND THE AWARD TO ADVANCE CONTRACTING GROUP FOR CANYON CREEK ALLEYS (ALLEYS A, B, C, D, & E) IN THE AMOUNT OF \$1,095,920.45, WHICH INCLUDES BID ALTERNATES NO. 1 AND 2.**
- 2. BID #72-20 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO JOE FUNK CONSTRUCTION FOR UTILITY REPAIRS (STORMWATER, WATER, AND WASTEWATER INFRASTRUCTURE) IN THE ESTIMATED AMOUNT OF \$1,350,885.13 PURSUANT TO UNIT PRICES.**
- 3. BID #02-21 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO RUSH TRUCK CENTERS OF TEXAS, LP FOR THE COOPERATIVE PURCHASE OF TWO (2) FORD F-750 CAB/CHASSIS WITH 45-YARD CUSTOM FIXED**

**CONTAINER/BUILTRITE 26' KNUCKLEBOOM WITH 42" GRAPPLE REFUSE TRUCKS FOR BABIC THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #601-19 IN THE AMOUNT OF \$380,722.80.**

- 4. BID #03-21 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO RELIANCE TRUCK & EQUIPMENT COMPANY, INC. FOR THE COOPERATIVE PURCHASE OF ONE (1) LABRIE, LEACH/ALPHA 16-YARD REAR LOADER BODY FOR SOLID WASTE THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #599-19 IN THE AMOUNT OF \$75,396.**
- 5. BID #04-21 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO BOND EQUIPMENT COMPANY, INC. FOR THE COOPERATIVE PURCHASE OF ONE (1) CRANE CARRIER LOW ENTRY TILT 2 (LET2) CAB/OVER CHASSIS FOR SOLID WASTE THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #601-19 IN THE AMOUNT OF \$141,652.**
- 6. BID #05-21 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO DICKSON EQUIPMENT COMPANY, INC. FOR THE COOPERATIVE PURCHASE OF ONE (1) ISUZU FTR CAB/OVER CHASSIS WITH NEW WAY 11-YARD NARROW COBRA REAR LOADER REFUSE BODY FOR SOLID WASTE THROUGH SOURCEWELL CONTRACT #091219-NWY IN THE AMOUNT OF \$160,805.79.**
- 7. BID #06-21 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO RPM STAFFING PROFESSIONALS, INC. FOR A COOPERATIVE ANNUAL REQUIREMENTS CONTRACT FOR TEMPORARY EMPLOYMENT SERVICES FOR SOLID WASTE PURSUANT TO REGION VIII EDUCATION SERVICE CENTER'S COOPERATIVE PURCHASING PROGRAM, THE INTERLOCAL PURCHASING SYSTEM ("TIPS"), CONTRACT #200703.**
- 8. BID #07-21 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO FREIGHTLINER OF AUSTIN FOR THE COOPERATIVE PURCHASE OF ONE (1) FREIGHTLINER CONVENTIONAL CAB/CHASSIS EQUIPPED WITH AN HD INDUSTRIES TCM 425-80 DHER2A POTHOLE PATCHER FOR STREETS THROUGH THE REGION VIII EDUCATION SERVICE CENTER'S COOPERATIVE PURCHASING PROGRAM, THE INTERLOCAL PURCHASING SYSTEM ("TIPS"), ON CONTRACT #200206 IN THE AMOUNT OF \$167,261.**

9. **BID #08-21 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO EAST TEXAS MACK SALES, LLC FOR THE COOPERATIVE PURCHASE OF ONE (1) MACK GRANITE CONVENTIONAL CAB/CHASSIS EQUIPPED WITH A GALBREATH U75-OR-174 ROLL-OFF HOIST FOR BABIC THROUGH THE REGION VIII EDUCATION SERVICE CENTER'S COOPERATIVE PURCHASING PROGRAM, THE INTERLOCAL PURCHASING SYSTEM ("TIPS"), ON CONTRACT #200802 IN THE AMOUNT OF \$186,020.**
  
10. **BID #09-21 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MARATHON FITNESS FOR THE COOPERATIVE PURCHASE OF FITNESS EQUIPMENT FOR HUFFHINES RECREATION CENTER THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #583-19 IN THE AMOUNT OF \$54,277.50.**

**Council Action**

Councilmember Hutchenrider moved to approve the Consent Agenda as presented. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 9:01 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL/CULTURAL ARTS COMMISSION**  
**JOINT WORK SESSION**  
**OCTOBER 26, 2020**

• **Call to Order**

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

Paul Voelker	Mayor
Janet DePuy	Mayor Pro Tem
Bob Dubey	Councilmember
Mark Solomon	Councilmember
Kyle Kepner	Councilmember
Ken Hutchenrider	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	Deputy City Manager
Kent Pfeil	Chief Financial Officer
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Jessica Almendarez	Management Analyst
Shawn Poe	Director of Engineering
Mark Nelson	Director of Transportation and Mobility

The Cultural Arts Commission was called to order by Chair Burdette at 6:02 p.m. with the following commissioner's present:

Catherine Burdette, Chair  
Kimberly Quirk, Vice Chair  
Sandy Palisch, Commissioner  
Elizabeth Gonzalez, Commissioner  
Kevin Todora, Commissioner

Absent:

Anthony Pampillonia, Commissioner  
Amy Taylor, Commissioner

**WORK SESSION – 6:00 PM, BANK OF AMERICA HALL, THE EISEMANN CENTER**

**A. ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

There were no public comment cards submitted.

**B. VISITORS**

Tom Huch, 3406 Sweetwater, addressed Council regarding city code issues.

**C. REVIEW AND DISCUSS THE RICHARDSON CULTURAL ARTS COMMISSION'S 2020 STATE OF THE ARTS ASSESSMENT**

Catherine Burdette, Cultural Arts Commission Chair, provided this update for Council.

- Overview of Arts Offerings/Arts Organizations
- Arts Impact Statements
- Arts Initiative Grants/ Art Workshops
- Public Art Highlights

**D. ADJOURNMENT OF CULTURAL ARTS COMMISSION PORTION OF JOINT MEETING**

The joint meeting was adjourned at 6:51 p.m. Mayor Voelker recessed the Council meeting. Mayor Voelker reconvened the Council meeting at 7:02 p.m.

**E. REVIEW AND DISCUSS THE UPCOMING U.S. AND TEXAS LEGISLATIVE SESSIONS**

Don Magner, Deputy City Manager, reviewed this item for Council.

**Richardson's Legislative Agenda**

- Guide for Council and staff to promote and protect municipal interests
- Establishes policy direction for topics that could affect the City of Richardson
- Orientation/Reorientation for elected officials representing Richardson
- Possible action for/against a bill taken via:
  - Testimony in person (if permitted)
  - Letters and e-mails
  - Phone Calls and meetings
  - Richardson Legislative Day (if held)
- Seeking active, positive partnerships with our elected officials in the State of Texas Legislature and in the United States Congress

**Highest legislative agenda Priority**

- To preserve the ability for locally elected officials to govern and respond effectively and efficiently to the individual and market driven needs of its residents, businesses, and stakeholders
- Oppose any legislative action that would erode home rule authority of municipalities or establish unfunded mandates that constrain the ability of cities to allocate scarce resources to locally determined priorities
- Support legislation seeking to restore local control/home rule authority eroded by prior legislation

**Legislative Agenda - key areas of focus**

- Fiscal Management
- Transportation
- Economic Vibrancy
- Development
- Public Safety
- Environment
- Education & Workforce

**E. REVIEW AND DISCUSS THE 2015 BOND PROGRAM STREETS PROPOSITION PROJECTS UPDATE**

Shawn Poe, Director of Engineering, provided 2015 Bond Program updates on street projects.

- Local Streets
- Alley Projects
- Traffic Operational Efficiency Improvements
- Collectors Streets
  - Custer Road – Arapaho to Campbell
  - W. Prairie Creek – Campbell to Collins
  - Glenville – Campbell to Commerce

**G. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:46 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

# Proclamation

## CITY OF RICHARDSON, TEXAS

- WHEREAS:** The City of Richardson, Texas has great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces; and
- WHEREAS:** The Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by George Washington in 1782; and
- WHEREAS:** The Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and
- WHEREAS:** The contributions and sacrifices of the men and women from the City of Richardson, Texas, who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and
- WHEREAS:** Many men and women in uniform have given their lives while serving in the Armed Forces; and
- WHEREAS:** November 2, 2020, has officially been designated as the day in Richardson, Texas to remember and recognize veterans who are recipients of the Purple Heart Medal.
- NOW, THEREFORE,** I, Paul Voelker, Mayor of the City of Richardson, Texas, and on behalf of the City Council, do hereby proclaim the City of Richardson:

### A PURPLE HEART CITY

and urge our citizens to acknowledge the extraordinary sacrifices made by these courageous service men and women.

*Given under my hand and seal of office  
this 2nd day of November 2020.*

 RICHARDSON  
TEXAS



  
Mayor, City of Richardson

## City Council Agenda Item Summary

<b>Meeting Date:</b>	November 2, 2020
<b>Agenda Item:</b>	Consider appointments and reappointments to the City Plan Commission, Civil Service Board, Parks & Recreation Commission, Sign Control Board, and TIF Board.
<b>Staff Resource:</b>	Dan Johnson, City Manager
<b>Summary:</b>	The above listed boards have vacancies and expiring terms.
<b>City Council Strategic Goals:</b>	This agenda item helps further the following City Council Strategic Goals: <ul style="list-style-type: none"><li>• Increase the sense of community and citizen engagement</li></ul>
<b>Background Information:</b>	Council previously met on October 5, 2020 to discuss vacancies and reappointments to these boards.



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**DATE:** November 2, 2020

**TO:** Honorable Mayor and City Council

**FROM:** Michael Spicer, Director of Development Services *MS*

**SUBJECT:** Zoning File 20-10: Major Modification – NE Richardson Lofts

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**REQUEST**

Daniel Drown of Huntington Drown, L.P. is requesting approval of a Major Modification for a 3-acre lot located at 910 Spring Valley Plaza (i.e., the northwest corner of W. Spring Valley Road and Spring Valley Plaza) to allow for development of an urban style apartment project.

**BACKGROUND**

The subject property is the location of the Huntington Townhomes, a 73-unit, rental townhome development built in 1963. It is located within Sub-district E of the West Spring Valley Corridor PD Planned Development. Sub-district E allows patio homes, duplexes and townhomes but not apartments or “mixed residential” as so referenced in the PD.

The proposed development is a 4-story, urban style apartment building comprising 186 one-and two-bedroom units wrapping a parking garage. The three ground floor units facing W. Spring Valley Road would be constructed as retail-ready units. The parking garage is five (5) levels containing 358 parking spaces. Eleven (11) on-street parking spaces would also be provided along Spring Valley Plaza. The leasing center and clubhouse would be located on the ground floor at the southeast corner of the building. Two (2) open space amenities are proposed, including a courtyard with playground equipment on the northside of the parking garage and a pool/spa area south of the garage, adjacent to the clubhouse.

The full scope of the requested Major Modification would provide for:

- a “mixed residential” apartment building;
- an increase in maximum building height from two to four stories;
- a reduction in required recreational amenity points from 70 points to 62;
- a reduction in required minimum unit sizes for one- and two-bedroom apartments; and
- a reduced building setback on Spring Valley Plaza from 14 feet to 7 feet.

To date, correspondence received regarding this request includes 4 in favor, 3 opposed, and 2 neutral.

**PLAN COMMISSION RECOMMENDATION**

The City Plan Commission, by a 6-0 vote, recommends approval of the proposed zoning amendment subject to the attached conditions.

## ATTACHMENTS

Special Conditions  
CC Public Hearing Notice  
City Plan Commission Minutes 2020-09-15  
Staff Report  
Zoning Map  
Aerial Map

Zoning Concept Plan (Exhibit “B”)  
Conceptual Building Elevations (Exhibits “C-1”, “C-2” and “C-3”)  
Applicant’s Statement  
CPC Public Hearing Notice  
Notification List  
Correspondence

**Zoning File 20-10: Major Modification – NE Richardson Lofts**

1. The property shall be developed in substantial conformance with the Zoning Concept Plan, Exhibit “B” and, Building Elevations, Exhibit “C-1”, “C-2” and “C-3”; attached hereto, which are depicted on Exhibits “B” and “C-1” through “C-3” and subject to the following major modifications:
  - a. Allowed Building Type: Mixed Residential
  - b. Allowed Use: Apartments
  - c. Minimum Number of Recreational Amenity Points: 62 points
  - d. Minimum Floor Area per Unit Type:
    - 1-Bedroom Unit - 502 Square Feet
    - 2-Bedroom Unit - 652 Square Feet
  - e. Minimum Building Setback: Seven (7) feet along Spring Valley Plaza
  - f. Maximum Building Height: Four (4) stories, fifty (50) feet to top of parapet wall and fifty-seven (57) feet to top of architectural feature.

**Order Confirmation**

<b>Customer:</b>	CITY OF RICHARDSON	<b>Customer Account:</b>	100010162
<b>Ad Order #:</b>	0001777591	<b>PO Number:</b>	CPN 9034
<b>Sales Rep:</b>	Max (Mert) Tezkol	<b>Order Taker:</b>	Max (Mert) Tezkol

<b>Net Amount:</b>	\$192.89	<b>Tax Amount:</b>	\$0.00	<b>Total Amount:</b>	\$192.89
<b>Payment Method:</b>	Check/Money Order	<b>Payment Amount:</b>	\$0.00	<b>Amount Due:</b>	<b>\$192.89</b>

**Ad Order #:** 0001777591

**Ad Number:** 0001777591-01

**Color:** **Ad Size:** 2 X 37.00 Li

**Ad Content**

**City of Richardson  
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:00p.m. on Monday, November 2, 2020, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

**ZF 20-10**

A request for major modifications of the development standards of the W. Spring Valley PD Planned Development on 3.004-acres located at 910 Spring Valley Plaza, the northwest corner of W. Spring Valley and Spring Valley Plaza for an apartment development. Owner: Daniel Drown, Huntington Drown, L.P.

**ZF 20-12**

Amend the RAILSIDE, Creative Corporate and Centennial Green Sub-Districts of the Main Street/ Central Expressway PD Planned Development District related to non-conforming standards.

If you wish your opinion to be part of the record but are unable to attend, send a written reply prior to the hearing date to City Council, City of Richardson, P.O. Box 830309, Richardson, Texas 75083.

The City of Richardson  
/s/ Aimee Nemer, City Secretary  
CPN 9034 Pub. 10/16/2020

**APPROVED**  
*By Aimee Nemer at 3:14 pm, Oct 14, 2020*

Run Dates	Product	Placement/Classification - Position
Publish Date: 10/16/2020      Stop Date: 10/16/2020	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date: 10/16/2020      Stop Date: 10/22/2020	DallasNews.com	Legals Bids Notices - LN Legal Notices

**EXCERPT  
CITY OF RICHARDSON  
CITY PLAN COMMISSION MINUTES – September 15, 2020**

**Zoning File 20-10 – NE Richardson Lofts:** Consider and act on a request for a major modification on 3 acres located at 910 Spring Valley Plaza, northwest corner of W. Spring Valley Road and Spring Valley Plaza in Area E of the West Spring Valley Corridor Planned Development District to allow for a 4-story, 186-unit urban style apartment development with structured parking. Property Owner: Daniel Drown, Huntington Drown, L.P. Staff: Daniel Harper.

Mr. Harper stated the request was for approval of a major modification for 3 acres located at 910 Spring Valley Plaza in Area E of the West Spring Valley Corridor Planned Development District to allow for a 4-Story, 186-unit urban style apartment development with 5 levels of structured parking. The subject site was currently developed with 73, two-story rental townhome units built in 1963.

The applicant requested major modification would allow a “mixed residential” building type for the subject site that would include 186 apartment units with a mixture of 1- and 2-bedroom units with the capability of three (3) ground floor units along West Spring Valley Road be converted into retail or office uses in the future.

The major modifications being requested were to allow for a Mixed Residential building type in Sub-District E; allow for a building height of 4-stories with a maximum height of 57’; to provide 62 amenity points for an apartment development in lieu of 70 points; to allow for on-street parking spaces to be counted towards the parking requirement; exclusion of a play area for the development; a reduction to the minimum apartment unit sizes from 750 square feet to 502 square feet for 1-bedroom units and the minimum unit size for a 2-bedroom units from 900 square foot to 625 square feet; a reduction to the required building setbacks for Spring Valley Plaza to seven (7) foot instead of fourteen (14) foot.

He continued by stating the property was in Sub-District E of the West Spring Valley PD. The allowed uses and building types were currently restricted to duplexes, patio homes and townhomes. The current housing types within the subdistrict included duplexes along Spring Valley Plaza and Plaza Lane as well as the Lafayette Square Apartments located along South Waterview Drive.

The proposed plan showed a total of 369 parking spaces with a parking ratio of 1.98 spaces per unit. Of the 369 parking spaces, 358 parking space would be garage spaces and an additional 11 spaces on-street parking along Spring Valley Plaza. The PD required only 335 parking spaces; however, the applicant requested the on-street parking count towards the overall total for additional parking.

The proposed building included two (2) open spaces located within the property that included a swimming pool/spa area and a landscaped courtyard. The applicant requested that they not provide the required play area. The applicant viewed the product being marketed towards small families with no children, therefore the request not to provide a playground area. The building would include a clubhouse with an indoor fitness center for residents.

The applicant also requested a reduced building setback of 7-feet in lieu of the required 14-foot setback from the property line on Spring Valley Plaza which was designated as a Residential Street type II in the West Spring Valley PD. Other required dimensions were being maintained by the applicant (5-foot bike zone and the 12-foot amenity zone and sidewalk).

Mr. Harper concluded his presentation stating the applicant would provide a presentation and made himself available for any questions from the Commission.

Vice Chairman Roland asked if any exceptions had been made regarding required parking for previous permits and if on-street parking were included in the parking totals.

Mr. Harper responded no.

Commissioner Springs asked if the parking counts assumed the worst-case scenario near the retail ready units within the development.

Mr. Harper stated the parking counts assume all residential uses.

Mr. Chavez responded that the uses would include more office or live/work situations as opposed to retail, based the unit's the location.

Commissioner Springs asked if improvements would be made beyond the curb on Spring Valley Plaza.

Mr. Chavez stated the applicant would start the upgrades at the existing center line of the roadway and apply the dimension controls throughout the west side of the center line. There would be an eleven (11) foot wide lane, a five (5) foot wide bike lane, then the parallel parking spaces. They will provide the eight (8) foot parking requiring new paving, then the twelve (12) foot amenity zone, and then the setback.

Commissioner Costantino asked for clarity on entrances/exits for retail versus residential spaces.

Mr. Harper provided a rendering that illustrated where the residential entrances were located and then confirmed that retail spaces would have front entrances/exits along W. Spring Valley.

Vice Chairman Roland asked for clarity on the parking requirements and the conditions surrounding the applicants request exceeding parking requirements along with the eleven (11) on street parking spaces. Commissioner Springs asked for clarity on this point as well later in the deliberations.

Mr. Harper stated during the initial discussions with the applicant it appeared they would not be able to meet the parking requirement, therefore, staff included it as a condition which has carried forward with the request.

Mr. Chavez further commented that the street cross section required the parallel parking spaces, therefore the on-street parking spaces would be there regardless of being counted towards the total.

With no questions for staff, Vice Chairman Roland opened the public hearing.

### **Public Comments**

Mr. Marc Tolson, 2344 Highway 121, Suite 100, Bedford, Texas came forward to speak in favor of this application, provide a presentation for consideration then made himself available for questions.

Commissioner Beach commented regarding the lack of amenities for children. He provided an example of a similar development marketed towards young professionals and empty nesters that had well over one dozen (12) small children that played in the street because there were not amenities provided. He also had some concern for the square footage of the units that they might be too compact.

Mr. Tolson responded that there had been space allocated for a playground (corner of Spring Valley Plaza and Plaza Way); however, the property owner had concerns with monitoring the area, securing the play area. The property owner felt a play area did not fit the demographic for the property, however, would consider providing a play area. Regarding the unit sizes, he stated that with a goal of keeping overall rent down for residents, having enough units to be functional equated to one hundred eighty-six (186) units based on market studies.

Commissioner Springs asked with work trucks being allowed how would it be addressed.

Mr. Tolson stated that based on the price point for the units, the units were geared towards the demographic of a more established individual which were well received by surrounding neighbors.

Commissioner Keller stated his concern regarding the square footage of the units and wanted to know what types of studies had been completed. Further, he requested an example of something comparable with the types of square footage being proposed and its history of success. He also asked for more detail concerning the garage height

Mr. Tolson stated the PD had a variety of unit sizes, the smallest being a 500 square-foot unit which was considered an average starting point, all the way up to a 750 square-foot for a 1-bedroom unit. He stated the 2-bedroom units follow the same concept so there was a wide range of unit types to assist with keeping units economical for a variety of unit types. He then spoke to the inquiry concerning the garage height stating each floor had a ramp for each of the five (5) floors, with the upper level being below the parapet. The 5<sup>th</sup> floor would be a flat level that would be screened with no roof.

Commissioner Southard asked about the parking garage design and what the vehicle height allowance was. He specifically asked about transit vans and if they would be allowed to enter the parking garages.

Mr. Tolson responded it would be a typical secured parking garage height with an allowable height of approximately eleven (11) foot, with some mechanical overhang making the range somewhere between nine (9) foot and eleven (11) foot allowable height, preventing most large trucks or vehicles. It would be secured with an electronic bar across the entrance with a fob for access. He

also confirmed that transit vans would fit. He further elaborated that approximately fifteen (15) parking spaces would be allocated on the first floor of the garage for visitor parking. Each resident would be provided resident parking.

The following individuals came forward to speak in favor of the application:

- Mr. Barry Hand, 710 Laguna, Richardson, Texas
- Andrew Laska, 502 Hyde Park

Mr. Tolson stated the applicant would be open to providing bike parking throughout the development as opposed to in one area.

With no further question from the public Vice Chairman Roland closed the public hearing and asked the Commission if they had any additional questions for staff or would like to move for a motion.

Both Commissioners Springs and Southard commented they would like to see a playground included as an amenity.

Commissioner Southard asked for clarity on the timeframe of the project for overall completion.

Mr. Tolson responded that with COVID, the timeframe was somewhat uncertain. The applicant chose to proceed with zoning changes, design, etc. They would also have consider vacating/relocating the current occupants therefore notifications (e.g. 3 months notice) would be required. In theory, we were thinking about one year from this day possibly sooner, then it would be approximately an eighteen (18) month process to completion.

Vice Chairman Roland asked what the applicant's experience was with relocating tenants as far as the process, what resources would be made available for assistance in order to make the transition as smooth as possible.

Mr. Tolson responded that the tenants would be provided with an official notice with the designated target date, however they could be provided an extension of time. It would be a case by case basis. Hypothetically it should take about six (6) months to vacate the property.

Commissioner Beach asked for clarity on stating a motion and if inclusion of the playground need to be a stated condition.

Vice Chairman Roland confirmed, yes.

With no further questions for staff, Vice Chairman Roland asked for a motion.

**Motion:** Commissioner Springs made a motion to recommend approval of Zoning File 20-10 – NE Richardson Lofts striking the proposed modifications concerning the parking ratio and the play area; second by Commissioner Southard. Motion Passed 6-0.



**TO:** City Council

**THROUGH:** Michael Spicer, Director of Development Services *MS*

**FROM:** Daniel Harper, Senior Planner - Planning *DH*

**DATE:** November 2, 2020

**RE:** **Zoning File 20-10: Major Modification - NE Richardson Lofts**

### REQUEST

Approval of major modification on 3 acres located at 910 Spring Valley Plaza, west of S. Waterview Drive, on the north side of W. Spring Valley Road in Area E of the West Spring Valley Corridor Planned Development District to allow for a 4- Story, 186-unit urban style apartment development with structured parking.

### PROPERTY OWNER

Daniel Drown, Huntington Drown, L.P.

### ADJACENT ROADWAYS

**W. Spring Valley Road:** Six-Lane, divided arterial, 36,200 vehicles per day on all lanes between N. Coit Road and Waterfall Way (2019).

**S. Waterview Drive:** Four-Lane, divided major collector, 4,000 vehicles per day on all lanes between W. Spring Valley Road and Dearborn (2019).

### SURROUNDING LAND USE AND ZONING

**North:** Single-Family Housing; PD Planned Development  
**South:** Multi-Family; City of Dallas  
**East:** Duplex Housing; PD Planned Development  
**West:** In-Patient Nursing Care; PD Planned Development

## FUTURE LAND USE PLAN

### **West Spring Valley Corridor Planned Development – Subdistrict E**

*The subject property is located in Subdistrict E of the approved West Spring Valley Corridor Planned Development. This vision for this subdistrict is to create opportunities for high-quality housing in a variety of styles and types, including the possibility of senior-oriented housing and additional options for ownership product.*

### **Future Land Uses of Surrounding Area:**

North: Neighborhood Residential

South: City of Dallas

East: West Spring Valley Corridor Planned Development

West: West Spring Valley Corridor Planned Development

## EXISTING ZONING

PD Planned Development – West Spring Valley Corridor Planned Development, Subdistrict E (Ordinance Number 3839).

## TRAFFIC/INFRASTRUCTURE IMPACTS

The request will not have any significant impacts on the surrounding traffic system or existing utilities in the area.

## STAFF COMMENTS

### **Background:**

The subject 3.004-acre lot is comprised of 73, two-story rental townhome units called the Huntington Townhomes. The townhomes were built in 1963 and are considered to be “C” level rental properties according to the current owners.

In January 2009, the Richardson City Council adopted a new Comprehensive Plan which highlighted six different enhancement / redevelopment areas within the community that warranted additional study. The 2010 West Spring Valley Corridor Reinvestment Strategy focused upon one of the six highlighted areas in Richardson and provided recommendations for investment and policy reform that could be implemented in the near to long term.

In 2011, City Council approved Ordinance Number 3839 to rezone 198 acres along the W. Spring Valley Corridor from Coit Road to North Central Expressway / US 75. The PD ordinance focuses on creating a series of unique, but compatible, pedestrian-oriented areas designed to coordinate with and enhance existing neighborhoods to the north. The PD Planned Development consists of seven (7) subdistricts that provide a higher level of detail than the framework plan and is intended to provide a mechanism for implementing the vision expressed by the stakeholders in the visioning process. The subject property is in Subdistrict E, which allows three (3) building types; patio homes, duplexes and townhomes but not mixed residential.

**Request:**

The applicant's request is for a major modification in accordance with the PD Planned Development to allow for a "mixed residential" building type for the subject site for a proposed urban style apartment development. The proposed development includes 186 apartment units with a mixture of 1- and 2-bedroom units. The building would be a four (4) story urban-style wrap building around a five (5) story private parking garage. The proposed plan shows a total of 358 parking garage spaces and an additional 11 spaces of on-street surface parking. Two (2) open spaces in the form of a courtyard with playground equipment located on the north end of the building and a pool/spa area on the south end. A leasing center / clubhouse area will be located at the southeast corner of the building on the ground floor.

The building is oriented to West Spring Valley Road and Spring Valley Plaza. Both streets will be modified with new streetscape designs in compliance with the Spring Valley PD. The private garage would be accessed from Spring Valley Plaza. The ground floor units facing Spring Valley Plaza will feature elevated walk up stoops and doorways facing the street.

As part of the request, the applicant has utilized the development regulations intended for Residential Street II that would govern the development of the property on Spring Valley Plaza and the Major Thoroughfare II-B for the property along W. Spring Valley. As part of the major modification request, the applicant is also requesting modifications to proposed development standards as provided for in the West Spring Valley Corridor Planned Development. Below is a description of the proposed development.

**Proposed Development**

Lot Area: 3.004 acres – 130,854 square feet

Number of Units / Density: 186 Units / 61.9 units per acre.

Building Area: Approximately 71,000 square feet.

**Setbacks:**

- Front / West Spring Valley Road: 34 feet
- Side / Spring Valley Plaza: 7 feet
- Side / West side: 11 feet
- Rear / North side: 25 feet

**Number of Parking Spaces:**

- 358 garage parking spaces
- 11 on-street parking spaces

**Building Height:**

- 50'-0" – 4 stories to top of parapet
- 57'-0" - Corner tower (architectural element)

Landscaping: 40,255 square feet – 30.76% of lot area.

## **Proposed Modifications:**

Building Type – Mixed Residential - The applicant is proposing a mixed residential building type through the major modification process. Mixed residential building type means a building that contains a variety of residential unit sizes or types, such as studio, 1-,2-,3-bedroom apartments, condominiums or lofts. The applicant’s concept plan indicated only 1 and 2-bedroom apartments. Three apartment units located on the ground floor adjacent to W. Spring Valley Road will be “retail ready” double height units and can be converted into retail or office space in the future.

Use – Apartments: The applicant is proposing to allow the residential use of apartments as a major modification to this property. Apartment uses are classified as mixed residential in the PD Planned development and is restricted from subdistrict E. The Subdistrict only allows patio homes, duplexes and townhouses.

Building Height: The applicant is proposing a building height of 49’-1” feet to the top of parapet for the four-story development with the southern parapet reaching a maximum height of 56’-1” to top architectural feature. Area E is limited to a maximum of three (3) stories in height or approximately 40 feet. The duplexes that neighbor the proposed development on Spring Valley Plaza are two stories in height.

Recreation Points: The applicant is proposing to provide 62 amenity points for the development including a clubhouse with equipment, a swimming pool, an indoor fitness center and an open space with grills, gazebo, seating area and tables. Apartment units in a mixed residential or mixed-use building are required to provide amenities within a corresponding points system that totals not less than 70 points for each 250 dwelling units.

Residential Unit Size: The applicant is requesting the allowable minimum unit size for a 1-bedroom apartment unit to be 502 square feet and the minimum unit size for a 2- bedroom apartment unit to be 652 square feet. The Spring Valley PD requires that a minimum unit size for a 1-bedroom apartment be 750 square feet and a 2-bedroom apartment be 900 square feet.

Reduced Building Setback – Spring Valley Plaza: The applicant is requesting a reduced building setback of 7 feet on Spring Valley Plaza in lieu of the required 14-foot setback for Residential Street II street cross section in Appendix 5 of the WSVC PD Design Guidelines. The purpose of this request is to accommodate the additional dedication of right-of-way required along the west right-of-way line along Spring Valley Plaza to conform with the Residential Street II street cross section. The applicant is maintaining the other required dimensions as shown in the street section including the 5-foot bike zone and the 12-foot amenity zone and sidewalk.

## **Conclusion**

Although the proposed building type and apartment use was not envisioned for the subject sub-district, the proposed development could be considered a catalyst project and spur new development in the area.

**Correspondence:** As of this date, staff has received 4 pieces of correspondence in support, 3 pieces of correspondence opposed and 2 pieces of correspondence neutral to the request.

**Motion:** On September 15, 2020, the City Plan Commission recommended approval of the applicant's request by a vote of 6-0 subject to the following conditions:

1. A Major Modification shall be granted and shall be developed in substantial conformance with the Zoning Concept Plan, Exhibit "B" and Building Elevations, Exhibits "C-1", "C-2" and "C-3"; attached hereto, which are depicted on Exhibits "B" and "C-1" through "C-3" and subject to the following major modifications:
  - a. Allowed Building Type: Mixed Residential
  - b. Allowed Use: Apartments
  - c. Minimum Number of Recreational Amenity Points: 62 points
  - d. Minimum Floor Area per Unit Type:
    - 1-Bedroom Unit - 502 Square Feet
    - 2-Bedroom Unit - 652 Square Feet
  - e. Minimum Building Setback: Seven (7) feet along Spring Valley Plaza
  - f. Maximum Building Height: Four (4) stories, fifty (50) feet to top of parapet wall and fifty-seven (57) feet to top of architectural feature.

**ZF 20-10**

**SUBJECT PROPERTY**

3839 / 4004  
PD

86-A  
R-1100-M

58-A  
R-1500-M

S Waterview Dr

Plaza Way

Spring Valley Plz

Plaza Ln

W Spring Valley Rd

**ZF 20-10 Zoning Map  
Major Modification  
NE Richardson Lofts**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



ZF 20-10

SUBJECT PROPERTY



ZF 20-10 Aerial Map  
Major Modification  
NE Richardson Lofts

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





VICINITY **CONCEPT PLAN**

SCALE: 1" = 20'-0"

CONCEPT PLAN DATA CHART:	
EXISTING ZONING	WEST SPRING VALLEY PD ORD. 3839
PROPOSED ZONING	MIXED RESIDENTIAL
LOT AREA	3,004 ACRES - 130,854 SQ.FT.
TOTAL # OF UNITS	186 UNITS 74 ONE BEDROOM UNITS - (592,704 sq.ft Min Unit Size) 112 TWO BEDROOM UNITS - (652-1,003 sq.ft Min./Unit Size)
BUILDING SQ. F.T	1ST FLOOR - 69,699 SQ. F.T 2ND FLOOR - 64,962 SQ. F.T 3RD FLOOR - 71,011 SQ. F.T 4TH FLOOR - 71,011 SQ. F.T 5TH FLOOR - 21,020 SQ. F.T [GARAGE ONLY] TOTAL 298,003 SQ. F.T
PARKING RATIO	1.83 PER UNIT
PARKING REQUIRED	1.5 /1-BEDROOM ; 2/2 BEDROOM = 338
PARKING PROVIDED	358 GARAGE PARKING SPACES 11 ON STREET PARKING
LANDSCAPE AREA	40,255 SQ.FT. - 30.76 %
FLOOR AREA RATIO	298,003 / 130854 = 2.27
BUILDING HEIGHT	49'-1" - 4 STORIES 56'-1" - CORNER TOWER

CONCEPT PLAN NOTES:	
1.	THERE ARE NO LOADING DOCKS ON THE SITE.
2.	THERE IS NO OPEN STORAGE AREAS.
3.	THE SITE DOES NOT LIE IN ANY FLOODPLAIN, FLOODWAY, STREAM COURSE OR OTHER WATER FEATURE.
4.	BICYCLE PARKING - 14 SPACES DISTRIBUTED THROUGHOUT SITE
5.	DOUBLE HEIGHT UNITS - PLATE HEIGHT - 19'-6 3/4"
6.	TRASH PICK UP BY MAINT. STAFF AND CARRIED TO COMPACTOR ON TRASH DAYS FOR RESIDENTS.
7.	RECREATIONAL AMENITY POINTS: REQUIRED: MINIMUM 900 SF INDOOR OR OUTDOOR RECREATIONAL/PLAYGROUND ARE FOR THE FIRST 250 DWELLING UNITS PROVIDED: 70 POINTS PER 250 - 186 UNITS = .744 OF 250 = 53 POINTS CLUBHOUSE (MIN. 400 SF) 10 POINTS CLUBHOUSE EQUIPMENT 2 POINTS SWIMMING POOL 10 POINTS INDOOR FITNESS CENTER (MIN. 400 SF) 10 POINTS OPEN SPACE W/GRILLS, GAZEBO SEATING AREA & TABLES [COURTYARDS] 30 POINTS 62 POINTS

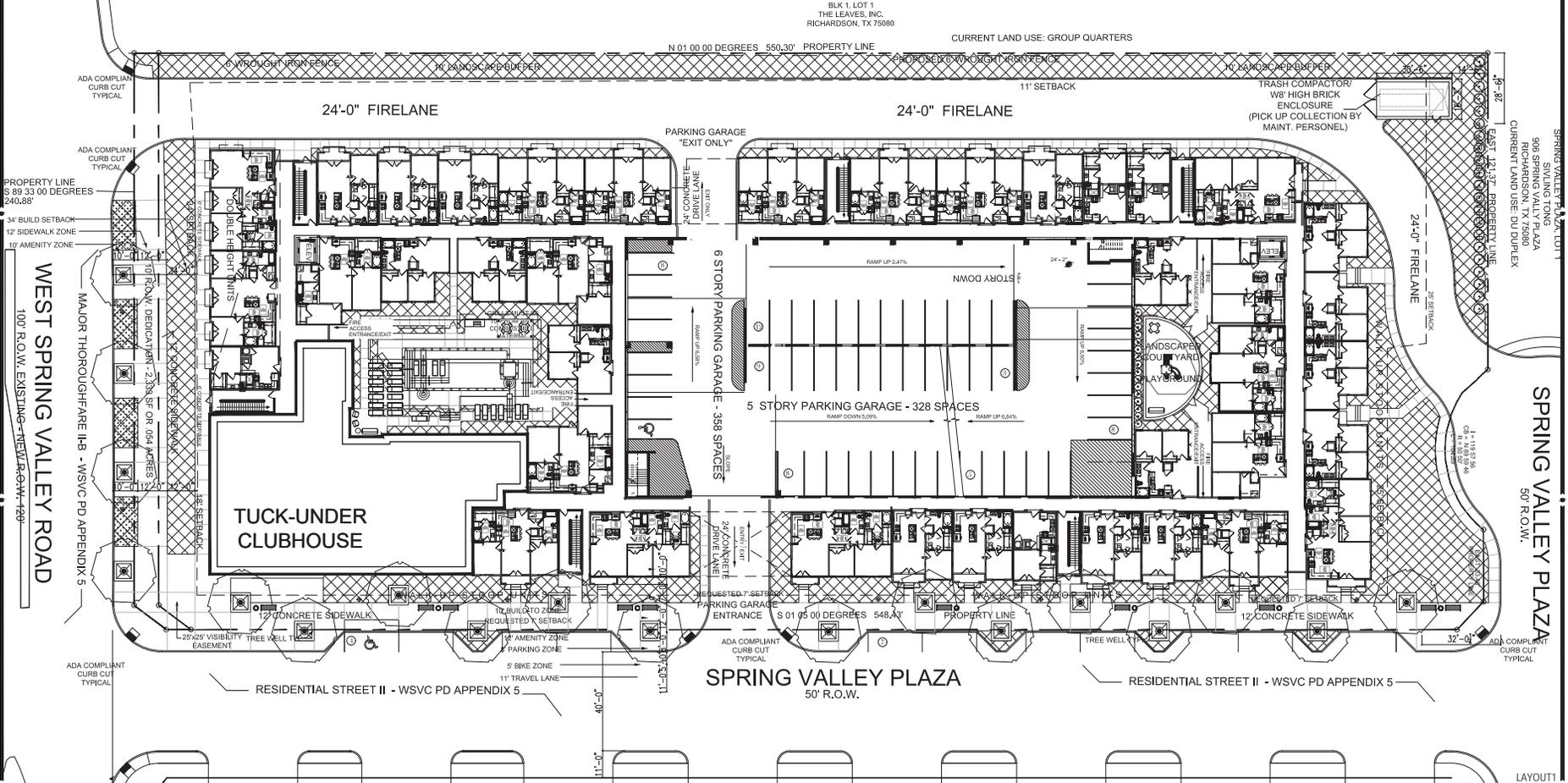
REQUESTED MODIFIED DEVELOPMENT STANDARDS:	
1.	BUILDING TYPE: MIXED USE.
2.	USE: APARTMENTS
3.	BUILDING HEIGHT
4.	RECREATIONAL POINTS - 70 REDUCED TO 62.
5.	REDUCE APARTMENT MIN. SQ. FT.
6.	REDUCE BUILDING SETBACK AS PER PLAN

**ZONING EXHIBIT B**  
3.004 ACRES  
NE RICHARDSON LOFTS  
910 SPRING VALLEY PLAZA  
RICHARDSON, TEXAS 75080

**OWNER**  
HUNTINGTON DROWN, LP  
P.O. BOX 488  
YOSEMITE NATIONAL PARK, CA 95  
808-295-7840

**APPLICANT**  
ARRIVE ARCHITECTURE GROUP  
2344 HIGHWAY 121  
BEDFORD, TEXAS 76021  
817-514-0584

DATE PREPARED: 09-01-20



**NE RICHARDSON LOFTS**  
Richardson, Texas

**ARRIVE**  
ARCHITECTURE  
2344 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.arrivecg.com  
PH: 817.514.0584 - FX: 817.514.0584

11-XX-2019

DESIGNED BY	JMT
DATE	09-01-20
PROJECT NO.	AS NOTED

LAYOUT I



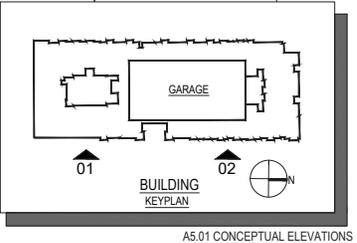
01 EAST EXTERIOR ELEVATION  
SCALE 1/8"=1'-0"



02 EAST EXTERIOR ELEVATION  
SCALE 1/8"=1'-0"



03 EAST EXTERIOR ELEVATION  
SCALE 1/8"=1'-0"



AS.01 CONCEPTUAL ELEVATIONS

**NE RICHARDSON LOFTS**  
Richardson, Texas

**ARRIVE!**  
ARCHITECTURE GROUP  
Architecture  
Planning  
Project Management  
2844 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.arriveag.com  
PH 817.514.0584 - FX 817.514.0584

Exhibit C-1  
07-14-2020

AS NOTED  
AAG JMT  
CITY SUBMITTAL  
DATE: 09/01/2020  
A5.01

# NE RICHARDSON LOFTS

Richardson, Texas



MATERIAL	%	COLORS
BRICK VENEER	30%	ACME BRICK / GLAZER WHITE
MAGNA WALL STUCCO	2%	SWISS / SWISS
HARDIPANEL / SIDING	68%	Black of Night / Crystaline / SWISS / SWISS / Dark Red
GLAZING	2%	DARK BRONZE
TOTAL	100%	

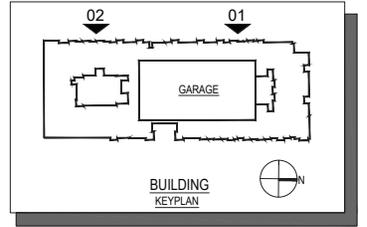
**01 WEST EXTERIOR ELEVATION**  
SCALE 1/8"=1'-0"



**02 WEST EXTERIOR ELEVATION**  
SCALE 1/8"=1'-0"



**03 WEST EXTERIOR ELEVATION**  
SCALE 1/8"=1'-0"



A5.02 CONCEPTUAL ELEVATIONS

ARRIVE ARCHITECTURE GROUP  
 Architecture Planning Project Management  
 2344 Highway 121, Suite 100 - Bedford, Texas 76021 - www.arriveag.com  
 Ph: 817.514.0584 - Fx: 817.514.0584

Exhibit C-2  
 07-14-2020

DATE	BY	APP'D BY
AAG	JMT	
CITY SUBMITTAL		
DATE/TIME	DATE/TIME	
09/01/2020		
AS NOTED	A5.02	

# NE RICHARDSON LOFTS

Richardson, Texas

ARRIVE ARCHITECTURE GROUP  
 Architecture Planning Project Management  
 2344 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.arriveag.com  
 Ph: 817.514.0584 - Fx: 817.514.0594

Exhibit C-3  
 07-14-2020

AS NOTED  
 AAG: JMT  
 CITY SUBMITTAL  
 09/01/2020  
 A5.03



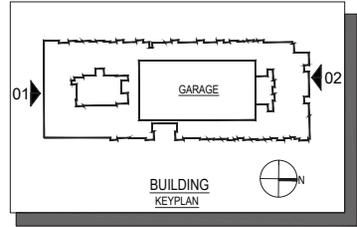
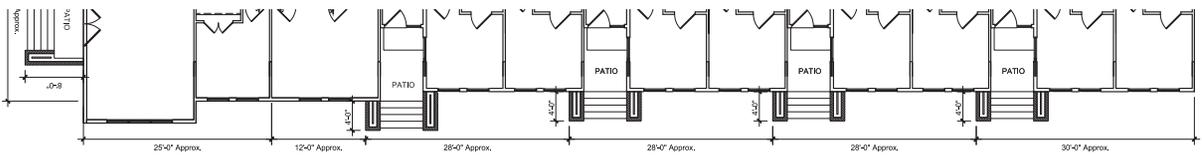
MATERIAL	%	COLORS
BRICK VENEER	28%	ACME BRICK EBONY GLACIER WHITE
MAGNA WALL STUCCO	44%	SWISS Black of Night Cristallo Pork Noir
HARD-PANEL SIDING	0%	SWISS Black of Night Cristallo Pork Noir
GLAZING	28%	DARK BRONZE
TOTAL	100%	

01 SOUTH EXTERIOR ELEVATION  
 SCALE 1/8"=1'-0"



MATERIAL	%	COLORS
BRICK VENEER	2%	ACME BRICK EBONY GLACIER WHITE
MAGNA WALL STUCCO	0%	SWISS Black of Night Cristallo Pork Noir
HARD-PANEL SIDING	72%	SWISS Black of Night Cristallo Pork Noir
GLAZING	26%	DARK BRONZE
TOTAL	100%	

02 NORTH EXTERIOR ELEVATION  
 SCALE 1/8"=1'-0"



A5.03 CONCEPTUAL ELEVATIONS



ARCHITECTURE GROUP

2344 Highway 121 · Suite 100 · Bedford, Texas 76021

P: 817.514.0584 [ArriveAG.com](http://ArriveAG.com)

NE Richardson Lofts  
910 Spring Valley Plaza  
Richardson, Texas 75080

## **PROJECT SUMMARY:**

The project is located at 910 Spring Valley Plaza. On the site currently are 73, two-story rental units called the Huntington Townhomes built in 1963. The property has been maintained moderately well but is 57 years old and a “C” or lower level rental property at best. The new project will replace the existing community with 163 new apartment homes. The building will be three and four-story Urban-Style wrap building around a three and a half story parking private parking garage of 259 spaces. The project will be market rate.

The site is oriented to West Spring Valley Road and Spring Valley Plaza. Both streets will have a new streetscape designs in compliance with the Spring Valley Overlay. The project’s clubhouse and leasing center is located in the SW corner of the site facing these two roadways. The apartment homes that face West Spring Valley on the first floor will be designed and built as retail ready, including storefront glazing, enlarged front walks and two-story volume. The remainder the units on the ground floor will have walk up stoops and doors ways facing the street.



# Notice of Public Hearing

## City Plan Commission

An application has been received by the City of Richardson for a:

### MAJOR MODIFICATION

**File No.** ZF 20-10  
**Applicant** J. Marc Tolson, ARRIVE Architecture Group  
**Location:** (See map on reverse side)  
**Request:** **ZF 20-10 Major Modification – NE Richardson Lofts:** Consider and act on a request for a major modification on 3 acres located at 910 Spring Valley Plaza, northwest corner of W. Spring Valley Road and Spring Valley Plaza in Area E of the West Spring Valley Corridor Planned Development District to allow for a 4-story, 184-unit urban style apartment development with structured parking. *Property Owner: Daniel Drown, Huntington Drown, L.P. Staff: Daniel Harper*

The City Plan Commission will consider this request at a public hearing on:

**TUESDAY, SEPTEMBER 15, 2020**  
**7:00 p.m.**  
**City Council Chambers**  
**Richardson City Hall, 411 W. Arapaho Road**  
**Richardson, Texas**

*DUE TO SOCIAL DISTANCING, SEATING IN THE COUNCIL CHAMBERS WILL BE LIMITED. MEMBERS OF THE PUBLIC ARE ENCOURAGED TO WATCH CITY PLAN COMMISSION MEETINGS ONLINE OR ON CABLE.*

*This notice has been sent to all owners of real property affected by the zoning request and those who are within 200 feet of the request; as such ownership appears on the last approved city tax roll.*

**Process for Public Input:** Individuals attending the meeting in person will be allocated a maximum of 5 minutes to address the City Plan Commission to express whether they are in favor or oppose the request.

Persons not attending the meeting who would like their views to be made a part of the public record may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083 or by utilizing the Public Comment Card at <https://www.cor.net/PublicCommentForm>.

*The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions or recommend denial. Final approval of this application requires action by the City Council.*

**Agenda:** The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <https://www.cor.net/cpc>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 20-10.

Date Posted and Mailed: September 4, 2020

**ZF 20-10**

Ridgeway Dr

Dearborn Dr

Dearborn Cir

6 4 3 1 2 5 7

11 10 9 8 46

**200' NOTIFICATION BOUNDARY**

12

Plaza Way

S Waterview Dr

30 29  
31 28  
32 27  
33 26  
34 25  
35 24  
36 23  
37 22  
38 21  
39 20  
40 19  
41 18  
42 17  
43 16  
44 15  
47 14

Spring Valley Plz

Plaza Ln

48

13

**SUBJECT PROPERTY**

W Spring Valley Rd

**ZF 20-10 Notification Map**  
**Major Modification**  
**NE Richardson Lofts**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



1. DIAMANT GREGG & MARGARET  
5005 BLACKELM DR  
MCKINNEY, TX 750716272
2. MD HOUSE RENTAL COMPANY  
13342 GLENSIDEDR  
FARMERS BRANCH, TX 75234
3. DOMINGUEZ ALBERTO & MARIA  
FELIX  
1221 DEARBORN DR  
RICHARDSON, TX 750806704
4. AGUIRRE MARIO & DOLORES  
1223 DEARBORN DR  
RICHARDSON, TX 750806704
5. CANTON INVESTORS LLC  
2538 E DESERT WILLOW DR  
PHOENIX, AZ 850489010
6. ACOSTA IGNACIO CABRERA &  
DEURA RUANO  
1225 DEARBORN DR  
RICHARDSON, TX 75080
7. DEVISERS CAPITAL GROUP LL  
1406 CALICHE TRAIL  
ALLEN, TX 75013
8. JMH RENTALS LLC  
6221 GOLIAD AVE  
DALLAS, TX 75214
9. HAPPY LIFE TRUST THE  
7245 HILLSIDE AVE #321  
LOS ANGELES, CA 90046
10. NGUYEN BENEDICT  
620 ROYAL CREST DR  
RICHARDSON, TX 75081
11. GERALDEZ JESUS & VIRGINIA  
4300 WINGREN DR  
PLANO, TX 75093
12. TONG SIVLING  
906 SPRING VALLEY PLAZA  
RICHARDSON, TX 75080
13. HUNTINGTON DROWN LP  
PO BOX 488  
YOSEMITE NTPK, CA 953890488
14. RAHIMZADEH MAHYAR & KIANI  
KIANDOKNT  
930 PLAZA LN  
RICHARDSON, TX 75080
15. BREM EREZ & GALIT LIVING TR  
54 W YALE LOOP  
IRVINE, CA 92604
16. TAKYIWAH GIFTY  
926 PLAZA LN  
RICHARDSON, TX 750806567
17. WAKEFIELD MAXINE D  
924 PLAZA LN  
RICHARDSON, TX 75080
18. NURAGA ENDALE  
922 PLAZA LN  
RICHARDSON, TX 75080
19. BAUSLEY THOMAS JR  
920 PLAZA LN  
RICHARDSON, TX 75080
20. MEDEL ALFREDO AGUIRRE  
918 PLAZA LN  
RICHARDSON, TX 75080
21. CHOWDHURY NAZMUL  
811 SOUTH CENTRAL EXPWY STE 411  
RICHARDSON, TX 75080
22. CONFIDENTIAL OWNER  
PO BOX 832563  
RICHARDSON, TX 75083
23. LIU XIAOJUN  
912 PLAZA LN  
RICHARDSON, TX 75080
24. GONDI ARUNA R  
910 PLAZA LN  
RICHARDSON, TX 75080
25. BANU KANEEZ E & ZAINULABEDIN  
MIR A  
908 PLAZA LN  
RICHARDSON, TX 75080
26. GUNASEKERA NIPUNA H  
18519 40TH AVE SE  
BOTHELL, WA 98012
27. MARTINEZ MICHAEL ALBERT  
904 PLAZA LN  
RICHARDSON, TX 75080
28. TAN MELVIN S & TIN TIN W  
1900 TRILLIUM COVE  
AUSTIN, TX 78733
29. ACOSTA PHILLIP  
900 PLAZA LN  
RICHARDSON, TX 75080
30. PUTTRICH JONATHAN DAVID  
909 SPRING VALLEY PLAZA  
RICHARDSON, TX 75080

31. XIONG HUIYAN  
4148 GRASSMERE LN UNIT 2  
DALLAS, TX 752055114
32. XIA DONGFENG  
4148 GRASSMERE LN #2  
DALLAS, TX 75205
33. PHAM TUNG & LAM SUONG  
915 SPRING VALLEY PLAZA  
RICHARDSON, TX 75080
34. MAJID RAYHAN  
2608 ROYAL BIRKDALE DR  
PLANO, TX 75025
35. ZIEGLER WILLIAM  
8318 COLUMBIA DR  
ROWLETT, TX 750898679
36. YENINA ALINA G  
921 SPRING VALLEY PLAZA  
RICHARDSON, TX 75080
37. MCGRUE MELVA  
923 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
38. OLUWAFEMI OLUWATOBI  
925 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
39. SANCHEZ CARMELO NAJERA  
927 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
40. GOOLSBY JARED R & JUSTA E  
929 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
41. YOHANNES RAHEL  
931 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
42. TRANG TRAN THI THU  
7920 BELT LINE RD STE 500  
DALLAS, TX 75254
43. JIMENEZ CARLOS ALBERTO RODR  
935 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
44. NEGUSSE MUSSIE D & YORDANOS  
ABRAHA  
937 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
45. OCHOA BAUDILIO N  
2021 LORIENT DR  
CARROLLTON, TX 750072321
46. PATE CONNIE & KELLY GUTIERREZ  
903A SPRING VALLEY PLZ  
RICHARDSON, TX 75080
47. ABDI ABDULKADIR MOHAMED  
939 SPRING VALLEY PLZ  
RICHARDSON, TX 75080
48. LEAVES INC THE  
1230 W SPRING VALLEY RD  
RICHARDSON, TX 750807709

Richardson ISD  
Tax Office  
420 S. Greenville Ave  
Richardson, TX 75081

**ZF 20-10**  
**NE Richardson Lofts**

## Correspondence Received

NE Richardson Lofts – ZF 20-10

Correspondence in support – 4

Correspondence Opposed – 3

Correspondence Neutral - 2

## Daniel Harper

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**From:** Lee A <lee793003@hotmail.com>  
**Sent:** Friday, October 23, 2020 4:44 PM  
**To:** Daniel Harper  
**Subject:** Zoning File 20-10 - NE Richardson Lofts

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Daniel Harper

I am writing to you today in support of the proposed project on North West Spring Valley (**Zoning File 20-10 - NE Richardson Lofts**). But before I get to that, let me introduce myself. My name is A. Abdi and my address is 939 Spring Valley Plz. Richardson, TX 75080. I lived in this great city for the past 5 years and loved every day that I spent here.

Our area here has not seen any new development lately and I think this project will bring a lot of value and improve the looks of the city of Richardson. Plus, the old apartment has been here since 1963 and it's very obvious it's time to upgrade. So, I'm asking you to please consider approving this project.

Thanks,

Abdi

**From:** [donotreply@enotify.visioninternet.com](mailto:donotreply@enotify.visioninternet.com)  
**To:** [Connie Ellwood](#); [Sam Chavez](#); [Michael Spicer](#)  
**Subject:** CPC Public Meeting Comment Card  
**Date:** Saturday, September 12, 2020 7:30:01 PM

---

A new entry to a form/survey has been submitted.

**Form Name:** City Plan Commission Public Meeting Comment Card  
**Date & Time:** 09/12/2020 7:29 PM  
**Response #:** 5  
**Submitter ID:** 16790  
**IP address:** 2600:1700:3f7a:51ff:7954:47da:f296:30a0  
**Time to complete:** 3 min. , 35 sec.

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### Survey Details

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#### Page 1

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**Meeting Date:**

09/15/2020

**Do you plan to attend the meeting and speak before the City Plan Commission?**

(o) No

**Meeting Calendars:** [City Plan Commission](#)

**Contact Information**

**Name:** Jayme Whiting  
**Address:** 711 Laguna Dr  
**City:** Richardson  
**ZIP:** 75080  
**PHONE:** Not answered  
**EMAIL:** jaymewhiting@gmail.com

**Please identify the group or organization you represent, if any:**

Not answered

**Please indicate if you are representing the applicant for a zoning case or item on the agenda:**

No

#### Page 2

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**VISITORS SECTION: This is an opportunity to submit comments on any topic that is not scheduled for a public hearing or an item that is not on the agenda.**

**I would like to comment during the:**

Public Hearing Item/Zoning File

**Page 3**

**Page 4**

**Public Hearing Item/Zoning File Section**

**Select Your Position on this Item (Required):**

In Favor of this Item

**Public Hearing Item Comments:**

I'm in favor of the zoning change required in order to update the Huntington Townhomes on Spring Valley Plaza. This update will improve the outdated apartments and support value in our neighborhood. I would like this plan to move forward.

Thank you,  
Jayme Whiting

Please submit my comments for this meeting. Public comments submitted by 5 pm on the date of the meeting will be provided and included for the record.

Thank you,  
**Richardson, TX**

---

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## Daniel Harper

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**From:** Jayme Whiting <jaymewhiting@gmail.com>  
**Sent:** Thursday, October 22, 2020 6:26 PM  
**To:** Daniel Harper  
**Subject:** Support for NE Richardson Lofts redevelopment project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good evening,

I'm writing in support of the NE Richardson Lofts redevelopment project that will go before City Council on Nov 2. I believe these updated apartments will add value to our neighborhood and support the re-zoning required to do that.

Thank you!  
Jayme Whiting  
711 Laguna Dr  
Treasurer of Cottonwood Heights Neighborhood Association

**From:** [donotreply@enotify.visioninternet.com](mailto:donotreply@enotify.visioninternet.com)  
**To:** [Connie Ellwood](#); [Sam Chavez](#); [Michael Spicer](#)  
**Subject:** CPC Public Meeting Comment Card  
**Date:** Sunday, September 13, 2020 1:58:25 PM

---

A new entry to a form/survey has been submitted.

**Form Name:** City Plan Commission Public Meeting Comment Card  
**Date & Time:** 09/13/2020 1:58 PM  
**Response #:** 6  
**Submitter ID:** 16793  
**IP address:** 70.113.144.167  
**Time to complete:** 26 min. , 57 sec.

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### Survey Details

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#### Page 1

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**Meeting Date:**

09/15/2020

**Do you plan to attend the meeting and speak before the City Plan Commission?**

No

**Meeting Calendars:** [City Plan Commission](#)

**Contact Information**

**Name:** Lisa Corbin  
**Address:** 1125 Greenway Drive  
**City:** Richardson  
**ZIP:** 75080  
**PHONE:** (513) 967-1249  
**EMAIL:** lisaacorbin@gmail.com

**Please identify the group or organization you represent, if any:**

Not answered

**Please indicate if you are representing the applicant for a zoning case or item on the agenda:**

Not answered

#### Page 2

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**VISITORS SECTION: This is an opportunity to submit comments on any topic that is not scheduled for a public hearing or an item that is not on the agenda.**

**I would like to comment during the:**

Public Hearing Item/Zoning File

**Page 3**

**Page 4**

**Public Hearing Item/Zoning File Section**

**Select Your Position on this Item (Required):**

In Favor of this Item

**Public Hearing Item Comments:**

Location: This location is very close to Dover Elementary and Carolyn Bukhair Elementary, please consider this as part of the building planning. Marketing and planning for this residence should be family-friendly.

Design: The indication of a 4-story apartment is acceptable - although higher than the current structure, I believe still within an appropriate height for the area. However, if ever in the future planning 5+ stories are considered, I would strongly disagree. The community and surrounding area are not suited for a tall building, it would stick out in a bad way and begin to create an opening for creating high-rises in a residential community.

As far as exterior design, I believe the design should reflect the community in which the structure is built. Richardson's "style" is that of timeless brick, greenery, and comfortable touches. With this in mind, my preferred styles of similar projects are examples: 'The Edge', and 'Steelyard'.

Next Steps: Because this new complex will multiply the density in this lot, please consider in the next Spring Valley Corridor project to maintain or reduce the density. I think with the road planning and size of a community we have now, new high-density apartment are fine in some instances, but also should be paired with the planning of lower density residences, even new green spaces.

Please submit my comments for this meeting. Public comments submitted by 5 pm on the date of the meeting will be provided and included for the record.

Thank you,  
**Richardson, TX**

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**directly to this email.**

**From:** [donotreply@enotify.visioninternet.com](mailto:donotreply@enotify.visioninternet.com)  
**To:** [Connie Ellwood](#); [Sam Chavez](#); [Michael Spicer](#)  
**Subject:** CPC Public Meeting Comment Card  
**Date:** Monday, September 14, 2020 9:23:31 PM

---

A new entry to a form/survey has been submitted.

**Form Name:** City Plan Commission Public Meeting Comment Card  
**Date & Time:** 09/14/2020 9:22 PM  
**Response #:** 7  
**Submitter ID:** 16807  
**IP address:** 76.184.97.31  
**Time to complete:** 29 min. , 12 sec.

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### Survey Details

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#### Page 1

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**Meeting Date:**

09/15/2020

**Do you plan to attend the meeting and speak before the City Plan Commission?**

No

**Meeting Calendars:** [City Plan Commission](#)

**Contact Information**

**Name:** Dan Barrios  
**Address:** 604 S Cottonwood Dr.  
**City:** Richardson  
**ZIP:** 75080  
**PHONE:** (214) 802-3292  
**EMAIL:** danfbarrios@hotmail.com

**Please identify the group or organization you represent, if any:**

Member- Cottonwood Heights Neighborhood Association

**Please indicate if you are representing the applicant for a zoning case or item on the agenda:**

Not answered

#### Page 2

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**VISITORS SECTION: This is an opportunity to submit comments on any topic that is not scheduled for a public hearing or an item that is not on the agenda.**

**I would like to comment during the:**

(o) Public Hearing Item/Zoning File

Page 3

Page 4

**Public Hearing Item/Zoning File Section**

**Select Your Position on this Item (Required):**

(o) Opposed to this Item

**Public Hearing Item Comments:**

I will start by saying overall; I'm not 100% against the idea. Still, I do have a bunch of red flags going off in my head and think that overall I believe the best decision would be to push this decision back 4-6 months to give the neighborhood and city a time to review the impact of the requested changes. The time may also benefit the developer as it would afford them the time to engage our community.

Changes to PDs should not be taken lightly, and this is no exception. As you know, this Spring Valley Planned Development has been in the works for over a decade. Many of you worked on this PD or provided input as an active citizen and a member of your own Neighborhood Association.

As you consider your vote this evening, I ask you to consider the following.

1. Our Neighborhood Association (Cottonwood Heights Neighborhood Association) will be most directly impacted and was just made aware of the proposed changes last Thursday evening. We have waited 12-14 years for the fruition of the original research and development of this PD. Why rush a decision now during a pandemic when the neighborhood and city haven't had proper time to consider the impact of the proposed changes?
2. PDs are like fine watches; every gear (subsection) must work for the entire watch to work. Each piece has a purpose, its specifications, and serves as part of the larger goal. We must consider the impact your ruling has on the larger plan as a whole and the precedence it sets on the entire project.
3. Our city has spent over a decade and plenty of taxpayer money in the development of this PD; we must ask ourselves if the public need and public support of this development are significant enough to change years of work over the first developer request that comes before you?

I believe that for the proper execution and vitality of the Spring Valley Planned Development, we must proceed with caution and not rush through this decision as it will significantly affect the future of the entire project and how it is put into effect. Please join me in asking the developer to come back in 6 months, after the neighborhoods and city have time to consider the impacts their request is going to have on the city and the community.

(o) Please submit my comments for this meeting. Public comments submitted by 5 pm on the date of the meeting will be provided and included for the record.

Thank you,  
**Richardson, TX**

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**From:** [donotreply@enotify.visioninternet.com](mailto:donotreply@enotify.visioninternet.com)  
**To:** [Connie Ellwood](#); [Sam Chavez](#); [Michael Spicer](#)  
**Subject:** CPC Public Meeting Comment Card  
**Date:** Tuesday, September 15, 2020 1:21:18 PM

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A new entry to a form/survey has been submitted.

**Form Name:** City Plan Commission Public Meeting Comment Card  
**Date & Time:** 09/15/2020 1:21 PM  
**Response #:** 9  
**Submitter ID:** 16814  
**IP address:** 99.72.206.189  
**Time to complete:** 10 min. , 9 sec.

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### Survey Details

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#### Page 1

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**Meeting Date:**

09/15/2020

**Do you plan to attend the meeting and speak before the City Plan Commission?**

No

**Meeting Calendars:** [City Plan Commission](#)

**Contact Information**

**Name:** Linda Manduley  
**Address:** 916 Blue Lake Circle  
**City:** Richardson  
**ZIP:** 75080  
**PHONE:** (972) 971-7398  
**EMAIL:** linda.manduley@gmail.com

**Please identify the group or organization you represent, if any:**

Self

**Please indicate if you are representing the applicant for a zoning case or item on the agenda:**

Not answered

#### Page 2

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**VISITORS SECTION: This is an opportunity to submit comments on any topic that is not scheduled for a public hearing or an item that is not on the agenda.**

**I would like to comment during the:**

Public Hearing Item/Zoning File

**Page 3**

**Page 4**

**Public Hearing Item/Zoning File Section**

**Select Your Position on this Item (Required):**

Opposed to this Item

**Public Hearing Item Comments:**

Please deny zoning request ZF 20-10 Major Modification – NE Richardson Lofts - to allow more time for city and the community to access the impact on our community. An additional 6 months is not unreasonable to ask as it will affect us for decades to come.

Please submit my comments for this meeting. Public comments submitted by 5 pm on the date of the meeting will be provided and included for the record.

Thank you,  
**Richardson, TX**

---

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**From:** Bob Dubey <[Bob.Dubey@cor.gov](mailto:Bob.Dubey@cor.gov)>  
**Sent:** Saturday, September 19, 2020 9:29 AM  
**To:** Jessica Almendarez <[Jessica.Almendarez@cor.gov](mailto:Jessica.Almendarez@cor.gov)>; Don Wagner <[Don.Magner@cor.gov](mailto:Don.Magner@cor.gov)>  
**Subject:** Fwd: This is a terrible idea

Please make this part of our public record and share Bill's position with council.  
Thank you,  
Bob

Begin forwarded message:

**From:** Bob Dubey <[Bob.Dubey@cor.gov](mailto:Bob.Dubey@cor.gov)>  
**Date:** September 19, 2020 at 8:27:26 AM MDT  
**To:** Bill Ostrom <[bill.ostrom@att.net](mailto:bill.ostrom@att.net)>  
**Subject:** Re: This is a terrible idea

Bill,  
Thank you for sharing your thoughts. I will share this with the council and staff and make sure it becomes a part of our public record.  
Respectfully,  
Bob

On Sep 19, 2020, at 7:09 AM, Bill Ostrom <[bill.ostrom@att.net](mailto:bill.ostrom@att.net)> wrote:

Richardson's city planning commission has approved a new apartment community west of U.S. Highway 75.

The urban-style rental community would replace a 60-year-old townhouse project on Spring Valley Road.

Developer NE Construction plans to build the 3-acre project designed by Arrive Architecture Group.

"The building will be a four-story urban style building with a five-story parking garage," Richardson planning staff's Daniel Harper told commissioners at their meeting this week.

Apartments in the project would range from about 500 to 1,000 square feet, and plans also call for a clubhouse, swimming pool and interior courtyard.

The property is occupied by 73 two-story rental townhouses.

"Our proposal is to tear down the existing apartment community and replace it with 186 market rate units," said J. Marc Tolson of Arrive Architecture Group LLC. "The architecture is modern and tailored.

"We hope that it feels residential and townhomey."

The ground-floor section along Spring Valley will include apartments that can be converted to a retail or commercial use in the future.

“They’ll have commercial storefronts on the front,” Tolson said. “Retail in multifamily is difficult even in the best conditions.”

The project must still be approved by the Richardson City Council.

Bill Ostrom  
[bill.ostrom@att.net](mailto:bill.ostrom@att.net)  
972.231.5540

**From:** [donotreply@enotify.visioninternet.com](mailto:donotreply@enotify.visioninternet.com)  
**To:** [Connie Ellwood](#); [Sam Chavez](#); [Michael Spicer](#)  
**Subject:** CPC Public Meeting Comment Card  
**Date:** Tuesday, September 15, 2020 3:48:23 PM

---

A new entry to a form/survey has been submitted.

**Form Name:** City Plan Commission Public Meeting Comment Card  
**Date & Time:** 09/15/2020 3:44 PM  
**Response #:** 10  
**Submitter ID:** 16815  
**IP address:** 2605:6000:8b52:d400:d83d:5437:e637:de42  
**Time to complete:** 13 min. , 12 sec.

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### Survey Details

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#### Page 1

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**Meeting Date:**

09/15/2020

**Do you plan to attend the meeting and speak before the City Plan Commission?**

No

**Meeting Calendars:** [City Plan Commission](#)

**Contact Information**

**Name:** Kathryn Cope  
**Address:** 108 Dublin Drive  
**City:** Richardson  
**ZIP:** 75080  
**PHONE:** (972) 955-0273  
**EMAIL:** kathryncope@me.com

**Please identify the group or organization you represent, if any:**

Not answered

**Please indicate if you are representing the applicant for a zoning case or item on the agenda:**

Not answered

#### Page 2

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**VISITORS SECTION: This is an opportunity to submit comments on any topic that is not scheduled for a public hearing or an item that is not on the agenda.**

**I would like to comment during the:**

Public Hearing Item/Zoning File

**Page 3**

**Page 4**

**Public Hearing Item/Zoning File Section**

**Select Your Position on this Item (Required):**

Neutral

**Public Hearing Item Comments:**

I think new development in our area could encourage further investment, however I am concerned about a few things. The original PD states that there is a goal for further ownership opportunities in Section E, and this will be rental only. I do like that they would have front stoops to look less like commercial buildings. I would like to see an opportunity for more community engagement in design adjustments.

(Please note: I am not speaking on behalf of the Cottonwood Heights Neighborhood Association, this is my individual personal comment)

Please submit my comments for this meeting. Public comments submitted by 5 pm on the date of the meeting will be provided and included for the record.

Thank you,  
**Richardson, TX**

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## Daniel Harper

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**From:** Li Tong <ltong88@yahoo.com>  
**Sent:** Tuesday, September 22, 2020 4:43 PM  
**To:** marc@arriveag.com; AskRichardsonDevelopmentServices  
**Cc:** Li Tong; Sivling Tong  
**Subject:** ZF 20-10 NE Richardson Lofts  
**Attachments:** Response\_ZF20-10\_NE\_Richardson\_Lofts.pdf; ARRIVE\_NE\_Richardson\_Townhomes.pdf; trash1.jpeg; fence1.jpeg; trash2.jpeg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**RE: NE Richardson Lofts**  
**910 Spring Valley Plaza**  
**Richardson, TX 75080**  
**Zoning File 20-10**

J. Marc Tolson, AIA  
Owner/Managing Principal  
ARRIVE Architecture Group

Mr. Tolson –

Thank you for reaching out and notifying us of the new project and rezoning to replace the current NE Richardson Lofts at 910 Spring Valley Plaza. We are very excited about this new development and look forward to the new facilities.

Apologies for missing the Webex meeting on August 19, 2020 as well as the public hearing on September 15, 2020. The letter notices unfortunately arrived too late for us to attend either of these sessions. We received both letters after the sessions had already taken place.

Since the NE Richardson Lofts development immediately abuts our property at **906 Spring Valley Plaza**, we have a few concerns that we hope your firm can help address with the new development designs.

The first concerns the location of the trash compactor. Can it be located further away from our 906 Spring Valley Plaza property? The current dumpsters are so close to our house that when trash is collected twice a week, our house rocks each time the dumpsters get slammed back to the ground. Since our house is built on pier and beam, this constant agitation adversely impacts our foundation and causes minor fissures in our ceiling, which we continually need to patch.

The second concern is the height and material of the fence separating both properties: 910 Spring Valley Plaza and 906 Spring Valley Plaza. Since NE Richardson Lofts is a commercial property, the dividing fence should be built and maintained to commercial standards.

In the plan, it shows a wrought iron or metal fence with a height of 6 ft. We prefer maintaining a height of 8 ft, similar to the current height of the fence today. Also, we recommend the use of a more enduring and impermeable material such as brick or similar. This is because:

- 1) The current fence is not maintained and continues to deteriorate due to natural wear and tear, children playing ball against the fence, and because residents of the current townhomes continually dump trash against it. See photos attached.
- 2) Trash floats into our backyard even when the fence is at 8 ft. This happens when the trash gets unloaded onto the trucks, so lowering this height will only allow more trash to fall into our backyard.
- 3) Because of the floating trash issue and trash dumping by the townhome residents, we cannot support a wrought iron fence or similar porous solution. The gaps in a wrought iron or a porous metal fence leaves our property defenseless against the odor and trash dumping by the residents of NE Richardson Lofts. And gives us no privacy.

The designs also propose planting trees along the dividing fence. We do not recommend planting trees that have large or spanning roots and will potentially grow into very large trees. This is because the current fence is only 5 ft from our roofline, and large trees can cause potential foundation and/or roof damage as they grow. While we would enjoy more trees or plantings alongside the property divide to disguise the trash compactor, we recommend planting trees with smaller footprints like Eve's Necklace or Crepe Myrtles, but not Live Oaks.

Lastly, the designs show a playground area on the northside on the cul-de-sac near our 906 property. We do not recommend locating the playground so near to the entry/exit drive to NE Richardson Lofts as it is a high traffic area and would be a danger to children playing near this entrance.

We appreciate you taking our feedback and hope that our concerns regarding the trash compactor, dividing fence, and plantings can be addressed. We look forward to discussing and resolving these concerns with you.

Best regards,

Li Tong and Sivling Tong  
***Resident and Owner of***  
906 Spring Valley Plaza  
Richardson, TX 75080

**ORDINANCE NO. 4361**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, REGARDING THE REVIEW OF THE CODE OF ETHICS, CHAPTER 2, ARTICLE I OF THE CODE OF ORDINANCES; AMENDING SECTION 2-3 UPDATING THE DEFINITIONS OF OFFICERS; AMENDING 2-5 TO ADD SUBSECTION (d) AND (e) TO REQUIRE CITY COUNCIL COMPLIANCE WITH PERSONAL FINANCIAL STATEMENT REQUIRED UNDER CHAPTER 145, TEXAS LOCAL GOVERNMENT CODE, AND CITY COUNCIL COMPLIANCE WITH THE CONFLICTS DISCLOSURE STATEMENT REQUIRED UNDER TEXAS LOCAL GOVERNMENT CODE CHAPTER 176; AMENDING SECTION 2-7 (c) AND (f) TO PROVIDE THE CITY ATTORNEY AND OUTSIDE LEGAL COUNSEL WITH THE SAME SUBPOENA POWER AS THE CITY COUNCIL; ADDING SECTION 2-11, ACKNOWLEDGEMENT OF CODE OF ETHICS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richardson Code of Ordinances Section 2-10 provides that the City Council of the City of Richardson shall review Code of Ethics codified at Chapter 2, Article I, of the City of Richardson Code of Ordinances once every two years following the adoption of said article on September 27, 2010; and

**WHEREAS**, the City Council of the City of Richardson has conducted such review on October 5, 2020; and

**WHEREAS**, following the review the City Council of the City of Richardson, Texas, desires to amend Chapter 2, Article I, of the Code of Ordinances as set forth herein; and

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 2, Article I – Code of Ethics, to read as follows:

**“ARTICLE I. - CODE OF ETHICS**

**Sec. 2-1. - Purpose.**

It is hereby declared to be the policy of the city that the proper operation of democratic government requires that public officials be independent, impartial and responsible only to the people of the city; that no officer shall permit any interest, financial or otherwise, direct or indirect, or engagement in any business, transaction or professional activity to conflict with the proper discharge of such person's duties in the public interest; that public office not be used for personal

gain; and that the city council at all times shall be maintained as a nonpartisan body. To implement such a policy, the city council deems it advisable to enact a code of ethics for officials, as defined in this article, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms, the overriding interest being that such officers of the city shall at all times strive to avoid even the appearance of impropriety.

**Sec. 2-2. - Title; application.**

- (a) This section shall be known as the code of ethics.
- (b) This code of ethics shall apply to all officials as defined in this article.
- (c) This code of ethics does not apply to employees, including those individuals employed on a full-time, part-time or internship basis (including those who may serve on a city board, committee or commission) nor to independent contractors of the city. The standards of conduct for employees are governed by the City of Richardson Personnel Policies and the City Charter.
- (d) This code of ethics applies to members of all city boards, committees or commissions as defined in this article, except when such member is an independent contractor of the city, or a city employee, including an individual employed on a full-time, part-time or internship basis.
- (e) This code of ethics applies to the conduct or actions of public officers, as defined in this article which occurs in whole or in part after the date of adoption of this article.
- (f) This code of ethics applies to officers only while such persons hold such position or office.

**Sec. 2-3. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Benefit* means anything reasonably regarded as pecuniary or economic gain or pecuniary or economic advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest.

*Business entity* means any person, entity, corporation (whether for-profit or nonprofit), general or limited partnership, sole proprietorship, joint venture, unincorporated association or firm, institution, trust, foundation, holding company, joint-stock company, receivership, or other entity recognized by law, whether or not organized for profit, which has an economic interest, or

seeking such, in conducting business with the city. Business entity also includes any business entity that represents a party conducting or seeking to conduct business with the city.

*City* means the City of Richardson, Texas.

*City council* means the governing body of the city.

*Confidential information* means any information to which an official has access in such person's official capacity which may not be disclosed to the public except pursuant to state and/or federal law and which is not otherwise a matter of public record or public knowledge. Confidential information includes the following information, however transmitted: (i) any information from a meeting closed to the public pursuant to the Texas Open Meetings Act or other law regardless of whether disclosure violates the Texas Open Meetings Act or Texas Public Information Act; (ii) any information protected by attorney client, attorney work product, or other applicable legal privilege; and (iii) any information deemed confidential by law.

*Contract* means any lease, claim, account or demand against or agreement with any entity or person, whether express or implied, executed or executory, oral or written.

*Corporation* means any corporation that has a board of directors appointed in whole or in part by the city council that is operating under the direct authority of or subject to the direct control of the city council.

*Employee* means any person employed by the city, including those individuals on a part-time or internship basis, but does not include independent contractors.

*Gift* means anything of value, regardless of form, offered or given in the absence of adequate and lawful consideration. It does not include the receipt or acceptance of campaign contributions which are regulated by federal, state and/or local laws or ordinances.

*Knowingly* means a person acts knowingly, or with knowledge, with respect to the nature of the person's conduct or to circumstances surrounding the conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of the person's conduct whether the person is aware that the conduct is reasonably certain to cause the result.

*Officer or official* means any member of the city council and any appointed member of a city board, commission or committee established by ordinance, Charter, state law or otherwise, on a temporary or permanent basis, operating either under the direct or indirect authority or subject to either the direct or indirect control of the city council. Such term includes but is not limited to the members of the city plan commission, the board of adjustment, the building and standards commission, the tax increment reinvestment financing zone boards of directors, the civil service board and appeals board, the library board, the parks and recreation board, the cultural arts commission, animal shelter advisory board, and the sign control board. Such term also includes

the members of the boards of directors of corporations, such as the Richardson Improvement Corporation.

*Relative* means any person related to an officer within the second degree by consanguinity or affinity. This relationship includes the spouse, parents, children, stepchildren, father and mother-in-law, or son and daughter-in-law, grandparents, grandchildren, sisters and brothers of the officer.

*Special privileges* means a right, advantage or favor of or for a particular person, occasion or purpose not otherwise available to others.

*Substantial interest* means: (i) the ownership of ten percent or more of the voting stock or shares of a business entity; (ii) the ownership of ten percent or more, or \$15,000.00 or more of the fair market value of a business entity; or (iii) funds received from the business entity exceed ten percent of the person's gross income for the previous year, and action on the matter involving the business entity will have a special economic effect on the business entity that is distinguishable from the effect on the public. It is expressly provided herein that an investment or ownership in a publicly held company, in an amount less than \$15,000.00 does not constitute a substantial interest. Substantial interest in real property means the person has an interest in the real property that is equitable or legal ownership with a fair market value of \$2,500.00 or more; and it is reasonably foreseeable that an action on a matter involving the real property will have a special economic effect on the value of the real property distinguishable from its effect on the public. (Ownership includes any partnership, joint or corporate ownership or any equitable or beneficial interest as a beneficiary of a trust.) An officer is considered to have a substantial interest under this code of ethics if a person related to the officer in the second degree of consanguinity or affinity has a substantial interest under this code of ethics.

#### **Sec. 2-4. - Standards of conduct.**

No officer of the city or a relative thereof shall:

- (a) Have a financial interest, direct or indirect, in any contract with the city, nor shall such person be financially interested, directly or indirectly, in the sale to the city of any land, or rights or interest in any land, materials, supplies or service. The "financial interest" contemplated under this section and under the City Charter section 18.01 requires that such person receive an actual financial benefit from the transaction with the city. An actual financial benefit from the transaction shall include:
  - (1) An ownership in the entity transacting business with the city where the ownership interest is more than ten percent.
  - (2) Compensation as an employee, officer or director of the entity transacting business with the city where such compensation is affected by the entity's transaction with the city.

- (b) Participate in a vote or decision on any matter in which the officer has a substantial interest.
- (c) Represent or appear in behalf of private interests of others before the city council, or any agency, board, commission, corporation, or committee of the city, nor shall represent any private interests of others in any action or proceeding involving the city, nor voluntarily participate on behalf of others in any litigation to which the city is, or might be, an adverse party. The restrictions of this subsection [2-4\(c\)](#) do not prohibit an officer, or relative of an officer, who is the president, vice president or officer of a homeowner's association from appearing before the city council, or any agency, board, commission, or committee of the city to represent such homeowner's association, except that no such officer or relative of such officer shall appear before the agency, board, commission or committee of the city of which such officer is a member.
- (d) Accept any gift from any person that might reasonably tend to influence such officer in the discharge of such person's official duties. The prohibition against gifts shall not apply to:
  - (1) A lawful campaign contribution;
  - (2) An honorarium in consideration for services unless the officer would not have been asked to provide the services but for the officer's position;
  - (3) Meals, lodging, transportation in connection with services rendered by the officer at a conference, seminar or similar event that is more than merely perfunctory;
  - (4) Complimentary copies of trade publications and other related materials;
  - (5) Attendance at hospitality functions at local, regional, state or national association meetings and/or conferences;
  - (6) Any gift which would have been offered or given to the person if such person was not an officer or employee of the city;
  - (7) An occasional item with a value less than \$50.00;
  - (8) Tee shirts, caps and other similar promotional material;
  - (9) Meals, transportation and lodging in connection with a seminar or conference at which the officer is providing services;

- (10) Gifts on account of kinship or a personal, or professional, or business relationship independent of the officer's status;
  - (11) Complimentary attendance at political or charitable fundraising events; and
  - (12) Meals, lodging, transportation, or entertainment furnished in connection with public events, appearances or ceremonies related to official city business, if furnished by the sponsor of such public events.
- (e) Use such person's official position to secure special privileges or benefits for such person or others.
  - (f) Grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group.
  - (g) Disclose confidential information.
  - (h) Engage in any outside activities which will conflict with or will be incompatible with such person's official position or duties as an officer of the city.
  - (i) Use city supplies, personnel, property, equipment or facilities (whether tangible or intangible) for any purpose other than the conduct of official city business, unless otherwise provided for by law, ordinance or city policy.
  - (j) Act as a surety on any official bond required for any officer or employee of the city, or for a business that has a contract, work or business with the city.

**Sec. 2-5. - Additional standards.**

- (a) No member of the city council who is on the board of a nonprofit organization may vote on any funding request by that nonprofit organization, unless the nonprofit organization has a board of directors or trustees appointed in whole or in part by the city council.
- (b) With the exception of those proceedings allowed under this article, no member of the city council shall personally appear in such person's own behalf before the city council, or any city board, commission, corporation or committee but may designate and be represented by a person of such person's choice in any such personal matter.
- (c) No member of the city council, the city plan commission, or board of adjustment shall participate in, or vote on, any land use matter in which such officer has a substantial interest in any real property within 200 feet of the real property, the subject of the land use matter. For purposes of this subsection [2-5\(c\)](#) "land use

matter" shall mean zoning, plat approval, site plan or other development approvals or permits, variances or exceptions. The term "land use matter" does not include studies or similar matters that are for the benefit of the city and which are not unique to real property within 200 feet of the real property, the subject of the land use matter, in which the officer has a substantial interest.

- (d) No member of the city council shall fail or refuse to file a personal financial statement as required by Texas Government Code Chapter 145, as amended.
- (e) No member of the city council shall fail or refuse to file a conflicts disclosure statement as required by Texas Government Code Chapter 176, as amended.

**Sec. 2-6. - Disclosure of substantial interest.**

Any officer, who has a substantial interest in any matter pending before the body, board, commission, corporation or committee of which the officer is a member, before a vote or decision on such matter, shall file an affidavit stating the nature and extent of the substantial interest, and shall abstain from further participation in such matter. The affidavit shall be on a form provided by the city and must be filed with record keeper for such body, board, commission, corporation or committee.

**Sec. 2-7. - Complaints against officers.**

- (a) All complaints or allegations of a violation of this code of ethics against an officer shall be made in writing on a form provided by the city, sworn to before a notary public, and filed of record with the city secretary. Such complaint shall describe in detail the act or acts complained of and the specific section(s) of this code of ethics alleged to have been violated. A general complaint lacking in detail shall not be sufficient to invoke the investigation procedures contained herein; and anonymous complaints shall not be considered. The city secretary shall provide a copy of the complaint to the affected officer and the city council, and immediately refer the complaint to the city attorney, who shall initially review the complaint to determine if the complaint contains sufficient detail and alleges a violation of the code of ethics. The affected officer may file a written response to the complaint within seven business days after the complaint is filed with the city secretary, who shall forward the response, if any, to the city attorney.
- (b) The city attorney shall submit a written report to the city council as soon as possible but not later than 15 business days after the receipt of the complaint, unless an extension is granted by a majority of the non-implicated city council members. The city attorney may contact the complainant, interview witnesses and examine any documents necessary for the report. Such report shall be comprehensive and explain in detail all facts, findings, and conclusions in support of the city attorney's opinion as to whether or not a violation of this code of ethics occurred. When the city attorney receives a vague complaint or one lacking in detail, the city attorney shall

contact the complainant to request a written clarification. If the complainant fails to provide the city attorney with written clarification, or if after written clarification is provided, it is the opinion of the city attorney that the complaint is insufficient in detail and/or fails to allege a prima facie violation of the code of ethics, a written report to that effect shall be submitted to the city council. If the city attorney determines that a criminal violation may exist, the city attorney shall refer the matter to the appropriate law enforcement agency.

- (c) If it is determined by the city attorney that the facts as alleged could constitute a violation of this code of ethics, then the city attorney shall, within 15 business days after receipt of the complaint, notify the mayor and city council members of the existence and nature of the complaint. The city council shall cause a meeting to convene, whether regular or special, within 15 business days after being so notified by the city attorney to further consider said complaint in executive session with mayor or any three members of the city council (excluding the mayor) causing such a meeting to be convened. In any event, the city attorney shall immediately proceed to fully investigate the alleged improprieties. For purposes of this investigation, the city attorney shall have all of the powers of investigation as are given to the city council by reason of the City Charter and shall report back to the city council as soon as possible but in no event more than 15 business days from the date of notification of the city council unless an extension is granted by the city council. Said report shall be comprehensive and explain in detail all facts, findings and conclusions in support of the city attorney's opinion as to whether a violation of this code of ethics occurred. The city attorney has the same power to subpoena witnesses and the production of documents, books, records and other evidence as are given the City Council under the City Charter when acting pursuant to this subsection. It shall be unlawful and an offense for any person to fail to obey a subpoena or to produce books, papers or other evidence as ordered under the provisions of this section and shall constitute a misdemeanor and shall be punishable by fine not to exceed two hundred dollars (\$200.00).”
- (d) The city council shall consider the complaint and the city attorney's report at an executive session of the city council. The affected officer may request that the complaint be considered in a public meeting. At such meeting, the city attorney shall present a written report to the city council describing in detail the nature of the complaint and the city attorney's findings and conclusions as to a possible violation of this code of ethics. The affected officer shall have the right to a full and complete hearing before the city council with the opportunity to call and cross-examine witnesses and present evidence in such person's behalf. The non-implicated city council members in attendance shall conduct a hearing and review the complaint. The city council may reject the complaint or take action authorized under [section 2-8](#), violations.
- (e) No action or decision with regard to the complaint shall be made except in a meeting which is open to the public.

- (f) The city council may appoint outside legal counsel or may direct the city attorney to appoint outside legal counsel, or the city attorney in the city attorney's discretion, may appoint outside legal counsel, to perform the duties and responsibilities of the city attorney under subsections (b), (c) and (d) of this section. The outside legal counsel shall have the same power to subpoena witnesses and the production of documents, books, records and other evidence as the city attorney under section (c) when acting pursuant to this subsection. It shall be unlawful and an offense for any person to failure to obey a subpoena or to produce books, papers or other evidence as ordered under the provisions of this section and shall constitute a misdemeanor and shall be punishable by fine not to exceed two hundred dollars (\$200.00).
- (g) A complaint or allegation of a violation of this article may only be made against an officer while such person holds such position or office. A complaint made against an officer pursuant to this section shall be processed and resolved even if such person resigns from, or ceases to hold such position or office, prior to resolution of the complaint.

**Sec. 2-8. - Violations.**

The city council may take any one or more of the following actions in an open meeting concerning a complaint:

- (1) Issue a statement finding the complaint is totally without merit, brought for the purpose of harassment, or brought in bad faith.
- (2) Issue a letter of notification when the violation is unintentional. A letter of notification shall advise the officer of any steps to be taken to avoid future violations.
- (3) Issue a letter of admonition when the violation is minor or may have been unintentional but calls for a more substantial response than a letter of notification.
- (4) Issue a reprimand when a violation has been committed knowingly or intentionally.
- (5) Remove from office an officer, other than a city council member, for a serious or repeated violation of this code of ethics. Removal shall be, to the extent by and allowed, in compliance with the Charter and state law.
- (6) Pass a resolution of censure or a recommendation of recall when the city council finds that a serious or repeated violation of this code of ethics has been committed intentionally by a member of the city council.

**Sec. 2-9. - Interpretation of content.**

Any officer may request, and the city attorney shall issue, a verbal or written opinion (as deemed appropriate) concerning the meaning or effect of any section, word, or requirement of this code of ethics as it affects such person.

**Sec. 2-10. - Review.**

The city council shall review this article once every two years following its adoption on September 27, 2010.

**Sec. 2-11. – Acknowledgement of Code of Ethics.**

The city secretary will provide each officer a copy of the code of ethics at the time such person is initially elected or appointed, and when such person is re-elected or appointed. Each officer shall within ninety (90) days after such person is initially elected or appointed, and when re-elected or appointed, file with the city secretary an acknowledgement, in a form provided by the city secretary, that such person has received a copy of, and has read the code of ethics. The city secretary shall provide a copy of the code of ethics to all officers each time the code of ethics is amended.

**Secs. 2-12—2-25. - Reserved.”**

**SECTION 2.** That all provisions of the ordinances of the City of Richardson, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson, Texas, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** That any person violating any of the provisions or terms of this Ordinance shall upon conviction be punished by a fine not to exceed the sum of Two Hundred Dollars

(\$200.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** That this Ordinance shall take effect immediately from and after its passage, and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Richardson, Texas, on the 2<sup>nd</sup> day of November 2020.

**APPROVED:**

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**MAYOR**

**CORRECTLY ENROLLED:**

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**CITY SECRETARY**

**APPROVED AS TO FORM:**

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**CITY ATTORNEY**

(PGS:11-2-20:TM 118333)

**RESOLUTION NO. 20-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ADOPTING A SOCIAL MEDIA POLICY FOR ELECTED OFFICIALS AND CITY COUNCIL-APPOINTED BOARD AND COMMISSION MEMBERS, ATTACHED HERETO AS EXHIBIT “A”; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richardson recognizes the need for use of social media to promote public awareness and boost participation of the City's programs, policies and services; and

**WHEREAS**, the City recognizes the inexpensive and effective method and popularity of the use of various social media platforms by and amongst City elected and appointed officials and the public; and

**WHEREAS**, the City has determined that a social media policy provides greater efficiency in government by outlining the procedure and expectations of the City's use and presence on Social Media; and

**WHEREAS**, the City Council desires to adopt a social media policy for elected officials and City Council-appointed board and commission members in compliance with existing City policies, directives, rules and regulations; and

**WHEREAS**, the City Council finds that the social media policy attached hereto as Exhibit “A” is in the best interest of the City and its inhabitants;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the City Council hereby adopts the social media policy for elected officials and City Council-appointed board and commission members attached hereto as Exhibit “A”.

**SECTION 2.** That all provisions of the resolutions of the City of Richardson, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

**SECTION 3.** That this Resolution shall become effective immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Richardson,  
Texas, on this the 2nd day of November 2020.

CITY OF RICHARDSON, TEXAS

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MAYOR

ATTEST:

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CITY SECRETARY

APPROVED AS TO FORM:

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PETER G. SMITH, CITY ATTORNEY  
(PGS:10-1-20:TM 118290)

**Resolution No. \_\_\_\_\_**  
**Exhibit “A”**

**City of Richardson**  
**Social Media Policy for Elected and Appointed Officials**

**Introduction**

While elected officials and City Council-appointed board and commission members may maintain and use personal social media sites, blogs, web pages and websites, their status as an elected or appointed official requires that the content of any postings on those sites be in compliance with existing City policies, directives, rules and regulations.

The City's image as a professional organization is critical to maintaining the respect of its constituents. While the City recognizes that elected and appointed officials may choose to express themselves by posting personal information upon social media platforms or by making comments on sites hosted by other persons, groups or organizations, this right of expression should not interfere with the operation of the City. That is, while the City acknowledges its officials have the First Amendment right to free speech, the right is not absolute when involving matters of official City business, issues, or concerns.

**Application**

This policy applies to members of all city boards, committees or commissions as defined in this policy as “officials” or “officers” except when such member is an independent contractor of the City, or a City employee, including an individual employed on a full-time, part-time or internship basis. This policy applies to the conduct or actions of officers that occurs in whole or in part after the date of adoption of this policy; and applies to officers only while such person holds such position or office. This policy does not apply to an individual employed on a full-time, part-time or internship basis by the City.

Please note that if any official conducts any City business or communication in such person’s official capacity from either a personal account or a professional account, officials should assume that City-related communications will be considered a public record subject to the Texas Public Information Act, Chapter 552, Texas Government Code.

**Definitions**

For purposes of this policy the following words, terms and phrases, when used in this policy, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Officer or official means any member of the city council and any appointed member of a city board, commission or committee established by ordinance, Charter, state law or otherwise, on a temporary or permanent basis, operating either under the direct or indirect authority or subject to either the direct or indirect control of the city council. Such term includes but is not limited to the members of the city plan commission, the board of adjustment, the building and standards commission, the tax increment reinvestment financing zone boards of directors, the civil service board and appeals board, the library board, the parks and recreation board, the cultural arts commission, animal shelter advisory board, and the sign control board. Such term also includes the members of the boards of directors of corporations, such as the Richardson Improvement Corporation.

**Resolution No. \_\_\_\_\_**  
**Exhibit "A"**

Personal Account means a social media or electronic media identity/account connected to the Officer by text, title or visual representation, not including a professional account.

*Professional Account* refers to any social media account created or maintained by the City of Richardson as well as any social media account created by an Official in their official capacity.

Social Media Accounts means social media profiles, accounts, addresses and handles, and services related thereto, including those made available through Facebook, Twitter, Instagram, Snapchat and other similar platforms.

**Professional and Personal Conduct Standards**

- 1) All officials are expected and required to conduct themselves in a manner consistent with the City's policies and standards of conduct.
- 2) Unless the official has been designated to serve as a spokesperson, officials should never represent themselves as a spokesperson for the City, the City Council, a City board or commission, City Administration, or any City department.
- 3) From time to time, officials will have access to information that is considered privileged or confidential. Officials must be particularly careful to protect against the disclosure of confidential or privileged information.
- 4) Officials should be honest and accurate when posting information or news, and should quickly correct any mistakes, misstatements and/or factual errors in content upon discovery. Officials should not post or share information known to be false about the City, its employees, constituents, other public officials, suppliers, vendors, or contractors.
- 5) Officials are prohibited from deleting posts and related comments regarding any City-related matters to avoid violating the Texas Public Information Act, chapter 552, Texas Government Code and records retention requirements.
- 6) Officials should be mindful that posting content regarding City-related matters could inadvertently result in the violation of the Texas Open Meetings Act Chapter 551, Texas Government Code, if enough other officials engage on the post, resulting in a quorum, the online conversation should immediately cease with no further posts by the officials.
- 7) Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest as defined by State law or the City Code of Ethics.
- 8) In order to ensure that all individuals or entities receive a fair and neutral resolution of matters considered by the City, and to avoid allegations of favoritism and/or bias for or against any individual, entity or issue, officials are prohibited from making any statements on social media regarding any individual, entity or issue which is reasonably likely to be considered by the body on which the official serves.

**Best Practices and Guidelines for Elected and Appointed Officials**

- 1) Public officials are strongly encouraged to separate personal social media accounts from professional social media accounts so that City-related matters and all public records generated from those posts are easily archived and not intermingled with personal posts not related to City matters.

**Resolution No. \_\_\_\_\_**

**Exhibit "A"**

- 2) Officials should exercise caution with respect to comments they post, particularly those concerning the City and the business of the City.
- 3) Officials are strongly encouraged to consider the potential impact of social media statements prior to posting. The City strives to be professional in its operations and processes. Posts that express favoritism and/or bias for or against any individual or group of individuals reflect poorly on the official, as well as the City and its residents. Further, comments suggesting such treatment can expose the City to liability and legal costs.
- 4) Officials should refrain from using social media accounts to communicate with City employees about City-related matters as this creates a public record on employees' personal accounts that must be retained according to the City's records retention schedule and possibly produced to the public pursuant to the Texas Public Information Act.
- 5) Officials should be cautious in using official City-provided photographs on personal social media sites.

**DATE:** October 05, 2020

**TO:** Dan Johnson, City Manager

**THROUGH:** Don Magner, Deputy City Manager  
Kent Pfeil, Chief Financial Officer

**FROM:** Cara Copley, Assistant Director of Finance

**SUBJECT:** Atmos Rate Resolution

The resolution approving the rate settlement reached with the Atmos Cities Steering Committee (ACSC) has been placed on the November 2, 2020 agenda for consideration by City Council. Several questions were asked during the City Council worksession primarily regarding how the rate increase was split between residential and commercial customers, whether the number of lines struck by excavators was included in the rate increase and lastly, where is Atmos in the life cycle of pipe replacements and updates in Richardson.

It is important to note that this rate increase is for recovery of dollars already invested/spent in calendar year 2019 across the Mid-Tex Division. The rate increase allocation between residential and commercial customers takes into consideration precedent decided by the Railroad Commission of Texas. The last traditional rate case (Gas Utility Docket 10170) was used as the basis for the 2020 Rate Review Mechanism (RRM) request and corresponding rate allocation affecting the recommended residential and commercial rates.

As mentioned at the City Council worksession, there were a total of 3,500 lines struck by excavators in the Mid-Tex Division in 2019. Like other utilities, ATMOS receives insurance reimbursement from some outside parties that damage their lines and does not always receive reimbursement from other parties for various reasons. Through the Rate Review Mechanism process, expenses that are reimbursed by third parties are factored (deducted) in the rate calculation methodology.

Regarding the life cycle of pipe replacements, in 2019, Atmos replaced 4,684 feet of main and 98 services (final connections to meters) within the City of Richardson. As part of a previous program, Atmos replaced all known couplers in Richardson with a newer and safer version. Currently, there is 66% plastic polyethylene, 32% coated steel and 2% bare steel pipes throughout the city. Importantly, there are no known cast iron lines operated by Atmos in the City of Richardson. With ground shifting and corrosion issues, maintenance and repair of gas line infrastructure is a never-ending process. Therefore, it is difficult to anticipate and project what expenses will be spent in future years. For this reason, when planning future maintenance and rehabilitation in Richardson, Atmos uses a risk-based prioritization model which

takes many factors into consideration, including maintenance history, age, material, construction methods, and other factors. Essentially, the risk-based approach guides their work and is consistent with prior operating practice required by federal and state regulations. For any segment of pipe that is identified as having a high relative risk, the pipe is either scheduled for replacement or accelerated action is taken by scheduling it to be leak surveyed more frequently. Each year, Atmos reassess the performance of their system and re-prioritizes their work based on that performance.

Staff is recommending adoption of the resolution approving the rates derived by the ACSC.

**RESOLUTION NO. 20-22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richardson, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

**WHEREAS**, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

**WHEREAS**, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

**WHEREAS**, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

**WHEREAS**, on about March 31, 2020, Atmos Mid-Tex filed its 2020 RRM rate request with ACSC Cities based on a test year ending December 31, 2019; and

**WHEREAS**, ACSC coordinated its review of the Atmos Mid-Tex 2020 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

**WHEREAS**, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$90 million applicable to ACSC Cities with an Effective Date of December 1, 2020; and

**WHEREAS**, ACSC agrees that Atmos plant-in-service is reasonable; and

**WHEREAS**, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

**WHEREAS**, the two month delayed Effective Date from October 1 to December 1 will save ACSC ratepayers approximately \$9 million off new rates imposed by the attached tariffs (Exhibit A), the impact on ratepayers should approximate the reasonable value of the rate filing found by the ACSC Consultants' Report, which was \$81 million; and

**WHEREAS**, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

**WHEREAS**, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B); and

**WHEREAS**, the settlement agreement establishes an amortization schedule for regulatory liability prepared by Atmos Mid-Tex (Exhibit C); and

**WHEREAS**, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the findings set forth in this Resolution are hereby in all things approved.

**SECTION 2.** That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$90 million for ACSC Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2020 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

**SECTION 3.** That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

**SECTION 4.** That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$90 million from customers in ACSC Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

**SECTION 5.** That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

**SECTION 6.** That subject to any future settlement or decision regarding the balance of Excess Deferred Income Tax to be refunded to ratepayers, the amortization of regulatory liability shall be consistent with the schedule found in Exhibit C, attached hereto and incorporated herein.

**SECTION 7.** That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2020 RRM filing.

**SECTION 8.** That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**SECTION 9.** That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General

Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

**SECTION 10.** That all provisions of the resolutions of the City of Richardson, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

**SECTION 11.** That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

**SECTION 12.** That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after December 1, 2020.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Richardson, Texas, on this the 2<sup>nd</sup> day of November 2020.

CITY OF RICHARDSON, TEXAS

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
PETER G. SMITH, CITY ATTORNEY  
(PGS:9-1-20:TM 117714)

**Exhibit A**  
**to 2020 RRM Resolution or Ordinance**

**Mid-Tex Tariffs**  
**Effective December 1, 2020**

<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 20.25 per month
Rider CEE Surcharge	\$ 0.05 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 20.30 per month</b>
Commodity Charge – All <u>Ccf</u>	\$0.26651 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

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<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2020.

<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 54.50 per month
Rider CEE Surcharge	\$ 0.02 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 54.52 per month</b>
Commodity Charge – All Ccf	\$ 0.11728 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2020.

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,014.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4157 per MMBtu
Next 3,500 MMBtu	\$ 0.3044 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0653 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Curtailement Overpull Fee**

Upon notification by Company of an event of curtailement or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailement or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,014.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4157 per MMBtu
Next 3,500 MMBtu	\$ 0.3044 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0653 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Imbalance Fees**

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

**Monthly Imbalance Fees**

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Curtailement Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**

A transportation agreement is required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- $i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf
- $R_i$  = Commodity Charge rate of temperature sensitive sales for the  $i^{th}$  schedule or classification.
- $HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class
- $NDD$  = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- $ADD$  = billing cycle actual heating degree days.
- $BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j$ th customer in  $i$ th rate schedule is computed as:

$$WNA_{ij} = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j$ th customer in  $i$ th rate schedule.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	10.73	0.1545	94.79	0.7284
Austin	9.53	0.1489	211.76	0.9405
Dallas	15.77	0.1792	199.74	0.9385
Waco	9.99	0.1341	145.27	0.7110
Wichita Falls	11.61	0.1402	120.34	0.5747

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at [atmosenergy.com/mtx-wna](http://atmosenergy.com/mtx-wna), in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

**Exhibit B**  
**to 2020 RRM Resolution or Ordinance**

**Mid-Tex**  
**2020 Benchmark for Pensions**  
**and Retiree Benefits**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL  
TEST YEAR ENDING DECEMBER 31, 2019**

Line No.	Description	Shared Services		Mid-Tex Direct		Adjustment Total	
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Executive Benefit Plan		
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark - Fiscal Year 2020 Willis Towers Watson Report as adjusted (1) (2) (3)	\$ 3,460,135	\$ 3,695,384	\$ 6,132,704	\$ 280,578	\$ 4,992,449	
2	Allocation to Mid-Tex	43.29%	43.29%	76.59%	100.00%	76.59%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 1,497,774	\$ 1,599,605	\$ 4,697,072	\$ 280,578	\$ 3,823,744	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	\$ 1,497,774	\$ 1,599,605	\$ 4,697,072	\$ 280,578	\$ 3,823,744	\$ 11,898,774
6							
7							
8	Summary of Costs to Approve (1):						
9							
10	O&M Expense Factor (WP_F-2.3; Ln 2)		79.55%		37.83%		37.83%
11							
12							
13	Total Pension Account Plan	\$ 1,191,410		\$ 1,777,056		\$ 2,968,466	
14	Total Post-Employment Benefit Plan		\$ 1,272,412			\$ 1,446,647	\$ 2,719,060
15	Total Supplemental Executive Benefit Plan				\$ 32,754		\$ 32,754
16	Total (Ln 13 + Ln 14 + Ln 15)	\$ 1,191,410	\$ 1,272,412	\$ 1,777,056	\$ 32,754	\$ 1,446,647	\$ 5,720,280
17							
18	Notes:						
19	1. Studies not applicable to Mid-Tex or Shared Services are omitted.						
20	2. Mid-Tex is proposing that the Fiscal Year 2020 Willis Towers Watson actuarial amounts shown on WP_F-2.3 and WP_F-2.3.1, be approved by the RRM Cities as the benchmark amounts to be used to calculate the regulatory asset or liability for future periods. The benchmark amount approved by the RRM Cities for future periods includes only the expense amount. The amount attributable to capital is recorded to utility plant through the overhead process as described in the CAMI.						
21							
22	3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.						
23							

**Exhibit C**  
**to 2020 RRM Resolution or Ordinance**

**Mid-Tex 2020 Schedule for**  
**Amortization for Regulatory Liability**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
RATE BASE ADJUSTMENTS  
TEST YEAR ENDING DECEMBER 31, 2019  
AMORTIZATION OF REGULATORY LIABILITY**

Line No.	Year Ended Dec. 31	Beginning of Year Rate Base Adjustment Amount	Annual Amortization (1)	End of Year Rate Base Adjustment Amount (2)	Corrected Balance for December 31, 2017 (3)
	(a)	(b)	(c)	(d)	(e)
1	2017		\$ -	\$ 292,268,881	\$ 292,268,881
2	2018	292,268,881	12,075,562	280,193,319	
3	2019	280,193,319	12,085,165	268,108,155	
4	2020	268,108,155	11,171,173	256,936,982	
5	2021	256,936,982	11,171,173	245,765,809	
6	2022	245,765,809	11,171,173	234,594,635	
7	2023	234,594,635	11,171,173	223,423,462	
8	2024	223,423,462	11,171,173	212,252,289	
9	2025	212,252,289	11,171,173	201,081,116	
10	2026	201,081,116	11,171,173	189,909,943	
11	2027	189,909,943	11,171,173	178,738,770	
12	2028	178,738,770	11,171,173	167,567,597	
13	2029	167,567,597	11,171,173	156,396,424	
14	2030	156,396,424	11,171,173	145,225,251	
15	2031	145,225,251	11,171,173	134,054,077	
16	2032	134,054,077	11,171,173	122,882,904	
17	2033	122,882,904	11,171,173	111,711,731	
18	2034	111,711,731	11,171,173	100,540,558	
19	2035	100,540,558	11,171,173	89,369,385	
20	2036	89,369,385	11,171,173	78,198,212	
21	2037	78,198,212	11,171,173	67,027,039	
22	2038	67,027,039	11,171,173	55,855,866	
23	2039	55,855,866	11,171,173	44,684,692	
24	2040	44,684,692	11,171,173	33,513,519	
25	2041	33,513,519	11,171,173	22,342,346	
26	2042	22,342,346	11,171,173	11,171,173	
27	2043	11,171,173	11,171,173	(0)	
28					
29	Revenue Related Tax Factor		7.16%	See WP_F-5.1	
	Revenue Related Taxes on Annual			Amortization * Tax	
30	Amortization		\$ 799,924	Factor	
31	Amortization Including Revenue		<u>\$ 11,971,097</u>	Amortization + Taxes	

32  
33 Notes:

- 34 1. The annual amortization of a 26 year recovery period is based on the  
35 Reverse South Georgia Method.  
36 2. The Regulatory Liability is recorded to FERC Account 253, Sub Account 27909.  
37 3. This is the final Mid-Tex liability balance filing the Fiscal Year 2018 tax return.

**RESOLUTION NO. 20-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE 2020 HOMELAND SECURITY GRANT PROGRAM FUNDS; AUTHORIZING THE EMERGENCY MANAGEMENT COORDINATOR TO SERVE AS THE AUTHORIZED OFFICIAL FOR GRANT MANAGEMENT PURPOSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richardson finds it in the best interest of the citizens of Richardson that the CBRNE Terrorism Prevention and Response, Law Enforcement Enhancement, and the Richardson-Planning projects be implemented for the 2020 grant year; and

**WHEREAS**, the City Council of the City of Richardson agrees that in the event of loss or misuse of the Homeland Security Grant Program (HSGP) funds administered and transferred through the Office of the Governor, the City Council of the City of Richardson assures that the funds will be returned to the Office of the Governor in full; and

**WHEREAS**, the City Council of the City of Richardson approves the Emergency Management Coordinator as the grantee's authorized official. The authorized official is responsible for application, acceptance, rejection, alteration, termination and/or all management and administration responsibilities for all grant projects implemented on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the terms, provisions, and conditions of the 2020 Homeland Security Grant Program (HSGP) will be adhered to and approves the grant application for the CBRNE Terrorism Prevention and Response, Law Enforcement Enhancement, and the Richardson-Planning projects to the Office of the Governor.

**SECTION 2.** That the Emergency Management Coordinator is hereby authorized to serve as the Authorized Official for the purposes recited therein, and any further amendments necessary to the agreement on behalf of the City of Richardson, Texas.

**SECTION 3.** That this Resolution shall become effective immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Richardson,  
Texas, on this the 2nd day of November 2020.

**CITY OF RICHARDSON, TEXAS**

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MAYOR

**ATTEST:**

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CITY SECRETARY

**APPROVED AS TO FORM:**

---

PETER G. SMITH, CITY ATTORNEY  
(PGS:8-15-19:TM 110129)

**RESOLUTION NO. 20-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE OFFICE OF THE GOVERNOR 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) PROGRAM; AUTHORIZING THE EMERGENCY MANAGEMENT COORDINATOR TO SERVE AS THE AUTHORIZED OFFICIAL FOR GRANT MANAGEMENT PURPOSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richardson finds it in the best interest of the citizens of Richardson that Project Number 4163201, 2020 Coronavirus Emergency Supplemental Funding (CESF) project be implemented for the 2020 grant year; and

**WHEREAS**, the City Council of the City of Richardson agrees that in the event of loss or misuse of the Coronavirus Emergency Supplemental Funding (CESF) administered and transferred through the Office of the Governor by the U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance, the City Council of the City of Richardson assures that the funds will be returned to the Office of the Governor in full; and

**WHEREAS**, the City Council of the City of Richardson approves the Emergency Management Coordinator as the grantee's authorized official. The authorized official is responsible for application, acceptance, rejection, alteration, termination and/or all management and administration responsibilities for all grant projects implemented on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the terms, provisions, and conditions of the 2020 Coronavirus Emergency Supplemental Funding (CESF) will be adhered to and approves the grant application for 2020 Richardson CESF project to the Texas Office of the Governor - Criminal Justice Division for State Award 2020-VD-BX-0002 provided by the U.S. Department of Justice, Office of Justice Program, Bureau of Justice Assistance.

**SECTION 2.** That the Emergency Management Coordinator is hereby authorized to serve as the Authorized Official for the purposes recited therein, and any further amendments necessary to the agreement on behalf of the City of Richardson, Texas.

**SECTION 3.** That this Resolution shall become effective immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Richardson, Texas, on this the 2nd day of November 2020.

**CITY OF RICHARDSON, TEXAS**

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
PETER G. SMITH, CITY ATTORNEY  
(PGS:10-28-20:TM 118810)



**RICHARDSON**  
TEXAS

**MEMO**

**DATE:** October 23, 2020  
**TO:** Keith Dagen – Director of Finance  
**FROM:** Todd Gastorf – Purchasing Manager *TDG*  
**SUBJECT:** Award of Bid #10-21 for the cooperative purchase of One (1) Ford E-350 Champion Challenger Shuttle Bus for the Senior Center to Alliance Bus Group, Inc. in the amount of \$74,502.06 through State of Georgia Contract #99999-001-SPD0000138

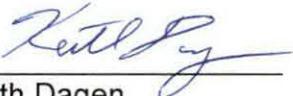
**Proposed Date of Award: November 2, 2020**

I concur with the recommendation of Ernie Ramos – Fleet and Materials Manager and Lori Smeby – Director of Parks and Recreation, and request permission to issue a purchase order for one (1) Ford E-350 Champion Challenger Shuttle Bus for the Senior Center to Alliance Bus Group, Inc. in the amount of \$74,502.06, as provided in the attached quote.

The above referenced equipment has been competitively bid through State of Georgia Contract #99999-001-SPD0000138. The City of Richardson is authorized by Texas Government Code Section 791.025 and Texas Local Government Code Section 271.102 to participate in the cooperative purchasing program of the State of Georgia.

Funding is provided in account #s 239-3024-581-7421 and 246-3024-581-7421, Project #PO2101.

Concur:

  
Keith Dagen

ATTACHMENTS



**RICHARDSON**  
**T E X A S**

DATE: October 7, 2020  
TO: Todd Gastorf, Purchasing Manager  
THROUGH: Lori Smeby, Director of Parks & Recreation *LS*  
FROM: Ernie Ramos, Fleet & Materials Manager *ER*  
RE: Capital Equipment Purchase, via State of Georgia Contract #  
99999-001-SPD0000138, contract expires 6/30//2021

I have reviewed the existing contract referenced above and recommend purchasing One (1) Ford E-350 Champion Challenger Shuttle Bus totaling \$74,502.06. I received and approved the quote with options listed from Alliance Bus Group, Inc.

The funding for the purchase is funded from accounts listed below, Project # PO2101 for the Shuttle Bus. The contact at Alliance Bus Group Inc. is Ms. Jennifer Cobb, and she can be reached at (972) 316-6928, or E-mail: [JenniferCobb@AllianceBusGroup.com](mailto:JenniferCobb@AllianceBusGroup.com), or Cell: (214) 629-6545. Please order the Shuttle Bus as specified on the attached quote.

Account #	Funding	Project #
239-3024-581-7421	\$ 45,000.00	PO2101
246-3024-581-7421	\$ 29,600.00	PO2101

Total: \$ 74,600.00

Attachment/s: Alliance Bus Group Quote (4-pages)  
State of Georgia Contract Listing, (4-pages)  
State of Georgia, Vendor Award Listing (1-page)  
State of Georgia, Contract Worksheet (2-pages)

CC: Beth Owens, Senior Center & Program Manager  
Spencer Doyle, Superintendent of Recreation & Older Adults  
Dan Baker, Assistant Director of Parks & Planning  
Lori Smeby, Director of Parks & Recreation



**City of Richardson  
2021 Ford E-350 Champion Challenger**

**Chassis Specifications:**

2021 Ford E-350 Chassis, 158" wheelbase  
12,500 GVWR  
7.3L V8 gasoline engine  
6-speed automatic transmission  
240 amp alternator, OEM  
Power 4-wheel disc brakes  
Chrome front bumper  
Exhaust, routed to street side of vehicle  
Driver's running board, diamond plate  
MorRyde Suspension, Rear  
Valve Stem extensions  
Streetside Exhaust

**Body Specifications:**

Steel cage design meeting all applicable FMVSS requirements  
T-Slider window package  
5/8" CDX Plywood Floor  
Gerflor Sirius 2.2mm commercial grade flooring  
30" Electric Entry door

**Air Conditioning/Heating:**

American Cooling Technology (ACT) 93k BTU System  
65k BTU rear mounted heater

**Passenger Seating:**

(6) Freedman Mid-High Doubles  
(2) Freedman Single Flip Seats  
(14) Seat cover, Level #5, TBD by end user  
(14) Standard 74" Seatbelts  
(6) Molded AV Grab Handles

**Driver Seat:**

Freedman Shield  
Level#5, TBD by end user



**Wheelchair Lift/Securements:**

Double Wheelchair Door  
Braun Century Lift  
(2) Q-Straint Max Retractable Restraints  
(2) Q-Straint Storage Pouches  
ADA decals  
Fast Idle with Interlock

**Safety Options:**

Standee line  
Step nosing  
Reverse alarm  
Fire extinguisher, 10lb  
Reflector kit  
First aid kit, 24 unit  
9" Round Interior Convex Mirror  
6"x16" Interior Mirror  
Overhead grab rail in passenger compartment, both sides of bus  
Right hand entry grab rail at entrance door  
Stanchion/modesty panel to left of entry door  
Stanchion/modesty panel located behind driver  
Remote Heated Exterior Mirrors

**Electrical Options:**

EP4 electrical system  
Radio, AM/FM/USB/MP3, REI  
(4) Speakers  
(1) Drivers door speaker  
Interior dome lighting (LED)  
Exterior tail lighting with turn (LED)  
Center mounted brake light (LED)  
Sidemarker lights (LED)  
ADA lighting above and below lift (LED)

**Warranty:**

Ford Basic Chassis: 3yr/36,000 miles  
Ford Powertrain: 5yr/60,000 miles  
Champion Body: 1yr/12,000 miles  
Champion Structure: 5yr/75,000 miles  
ACT Air Conditioning: 3yrs/unlimited miles

A small, handwritten signature or set of initials in blue ink, located in the bottom right corner of the page.

# ALLIANCE BUS GROUP

**Delivery:**

Unit is to be pre-delivery inspected/serviced in Lewisville, TX and delivered to City of Richardson

**Unit Price: \$74,502.06**

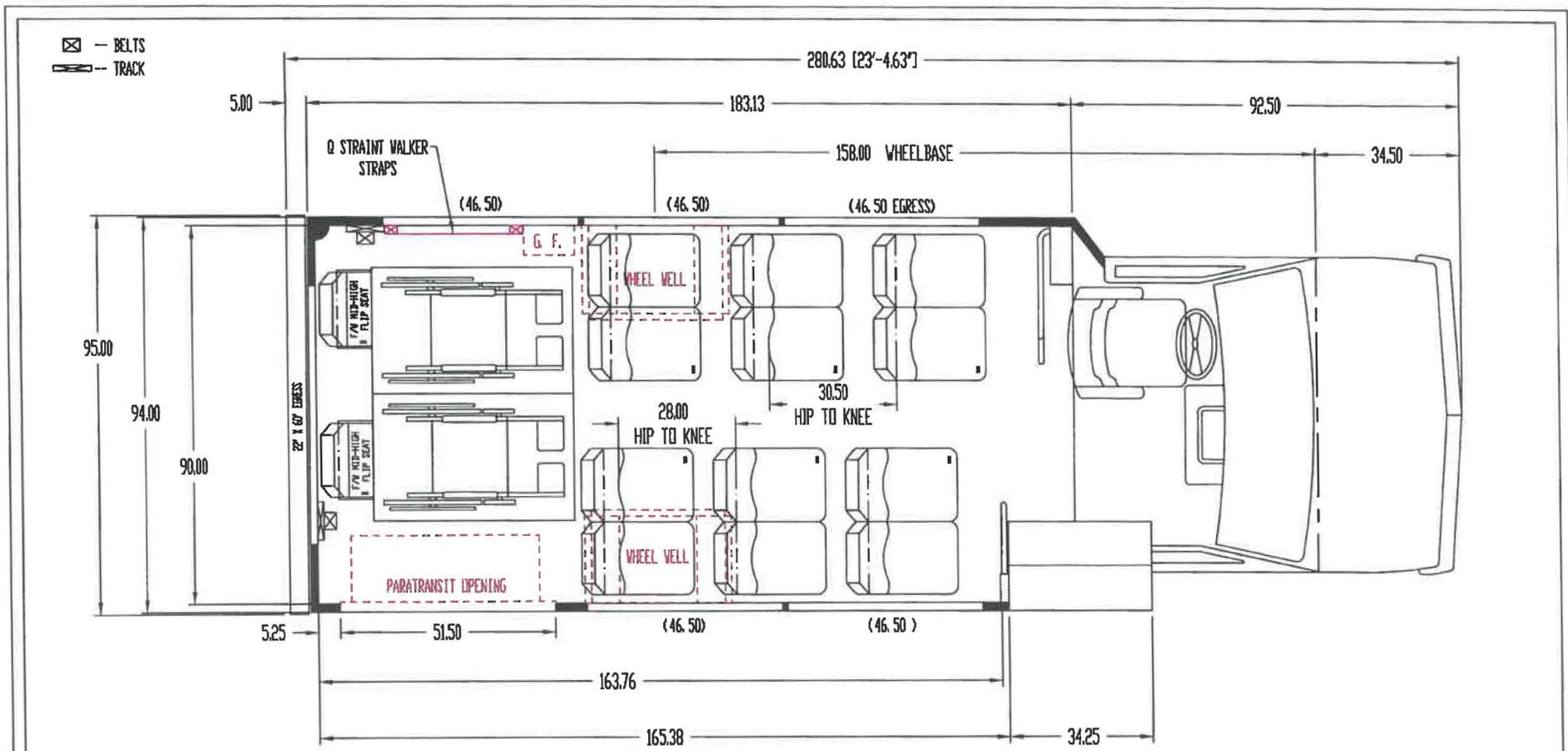
**Pricing reflects all applicable Ford Motor Company discounts.**

Jenn Cobb  
Government Sales  
Alliance Bus Group  
972-316-6928 (direct)  
[jennifercobb@alliancebusgroup.com](mailto:jennifercobb@alliancebusgroup.com)

Along for the  
Whole Ride<sup>®</sup>



*ER*



REV	ECN	DESCRIPTION	DATE	BY
A	N/A	PER CUSTOMER REQUEST, ADDED QRT WALKER STORAGE STRAPS.	8/6/19	RGH

<b>SEATING: FREEDMAN SEATS - MID HIGH FEATHERWEIGHT</b>			
PASSENGER COUNT: (14) PASSENGERS & (2) W/C'S		MODEL: CHALLENGER	
	TOLERANCES UNLESS NOTED XXX +/- .05 XXX +/- .005 ANG +/- 1°	DRAWN BY: <b>ROB HILTS</b>	DATE: <b>2/13/19</b>
	<small>THIS DRAWING AND ALL INFORMATION THEREON IS THE PROPERTY OF REV GROUP LLC.</small>	FORM P-2.2.01 REVISION A (INVENTOR)	SHEET NO: <b>071</b>
TITLE: <b>FLOORPLAN CH-231 REAR LIFT 158" WB</b>			DRAWING NO: <b>CBD23844</b>

BR.



