

**RICHARDSON CITY COUNCIL  
MONDAY, AUGUST 1, 2016  
WORK SESSION AT 6:00 PM; COUNCIL MEETING AT 7:00 PM  
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, August 1, 2016 in the Richardson Room 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.

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

• **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 MAIN STREET/CENTRAL EXPRESSWAY ENHANCEMENT/ REDEVELOPMENT – REZONING INITIATIVE (PHASE III)**

**C. REVIEW AND DISCUSS ENVIRONMENTAL PARTNERSHIP INITIATIVES**

**D. 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 – SCOTT DUNN**

**2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – SCOTT DUNN**

**3. MINUTES OF THE JULY 19-20, 2016 BUDGET WORKSHOP MEETINGS AND JULY 25, 2016 MEETING**

**4. 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 “City Council Appearance 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.*

**ACTION ITEMS:**

**5. CONSIDER SETTING PUBLIC HEARINGS ON AUGUST 22 AND AUGUST 29, 2016 ON THE PROPOSED TAX RATE OF \$0.63516 PER \$100 VALUATION FOR FISCAL YEAR 2016-2017.**

6. CONSIDER SETTING PUBLIC HEARING ON AUGUST 22 FOR THE PROPOSED FISCAL YEAR 2016-2017 RICHARDSON MUNICIPAL BUDGET.

**7. CONSENT AGENDA:**

*All items listed under the Consent Agenda aorre 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 ADOPTION OF ORDINANCE NO. 4176, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 18, SIGN REGULATIONS, BY DELETING THE DEFINITION OF "DIRECTOR OF COMMUNITY SERVICES" AND ADDING A DEFINITION FOR "BUILDING OFFICIAL"; BY CHANGING THE REFERENCES TO "DIRECTOR OF COMMUNITY SERVICES" WHEREVER IT APPEARS IN CHAPTER 18 TO "BUILDING OFFICIAL"; BY AMENDING SECTION 18-96 (8) (f) (2) TO CHANGE THE MINIMUM TIME PERIOD FOR DISPLAY OF ELECTONIC MESSAGING; BY AMENDING SECTION 18-96 (16) (d) TO DELETE SUBPART (2) TO ELIMINATE THE MINIMUM LOCATION DISTANCE FOR MENU BOARDS FROM PRIVATE PROPERTY LINES; BY AMENDING SECTION 18-96 (18) (b) (2) BY CHANGING THE MAXIMUM HEIGHT OF MULTIPLE-USE MONUMENT SIGNS TO EIGHT FEET; BY AMENDING SECTION 18-96 (24) (g) (1) TO CHANGE THE REFERENCE TO COMMUNITY SERVICES DEPARTMENT TO BUILDING INSPECTIONS DEPARTMENT; BY AMENDING SECTION 18-96 (32) (b) TO DELETE SUBPART (2) AND SECTION 18-96 (32) (d) TO LIMIT LOCATION OF SUBDIVISION, HOME BUILDER AND DEVELOPER SIGNS TO ON-SITE; BY AMENDING SECTION 18-96 (33) (a) AND (c) TO EXCLUDE HOT AIR BALLOON SHAPED AND OTHER INFLATABLE TYPE SIGNS AS TEMPORARY PROMOTIONAL SIGNS AND TO LIMIT THE NUMBER OF FREESTANDING TEMPORARY PROMOTIONAL SIGNS TO FOUR (4) SIGNS.
- B. CONSIDER RESOLUTION NO. 16-20, APPROVING THE TERMS AND CONDITIONS OF A PROJECT SPECIFIC AGREEMENT TO THE MASTER AGREEMENT GOVERNING MAJOR CAPITAL IMPROVEMENT PROGRAM, BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS AND THE COUNTY OF DALLAS, TEXAS, FOR THE DUCK CREEK TRAIL EXTENSION PROJECT, AND AUTHORIZING ITS EXECUTION BY THE MAYOR.
- C. CONSIDER AWARD OF BID #60-16 – WE RECOMMEND THE AWARD TO R-TEX SERVICES, LLC, FOR THE EAST POND OUTLET REPAIRS - RENNER ROAD PONDS IN BRECKINRIDGE PARK IN THE AMOUNT OF \$135,237.25.
- D. CONSIDER CANCELLATION OF THE MONDAY, AUGUST 15, 2016 CITY COUNCIL MEETING.

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- **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, JULY 29, 2016, BY 5:00 P.M.

\_\_\_\_\_  
AIMEE NEMER, CITY SECRETARY

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING TAYLOR LOUGH, ADA COORDINATOR, VIA PHONE AT 972 744-4208, VIA EMAIL AT ADACOORDINATOR@COR.GOV, OR BY APPOINTMENT AT 411 W. ARAPAHO ROAD, RICHARDSON, TEXAS 75080.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

FOR THE PURPOSE OF THIS NOTICE "PROPERTY" SHALL MEAN THE RICHARDSON ROOM AND COUNCIL CHAMBERS.



**City of Richardson  
City Council Work Session  
Agenda Item Summary**



**Work Session Meeting Date:** Monday, August 1, 2016

**Agenda Item:** Review and discuss the Main Street/Central Expressway Enhancement/Redevelopment – Rezoning Initiative (Phase III).

**Staff Resource:** Tina Firgens, Planning Projects Manager

**Summary:** Staff and the city’s consultant team will be present to review and discuss multiple items related to the Main Street/Central Expressway Enhancement/ Redevelopment – Rezoning Initiative (Phase III) project. The rezoning initiative is the next step for implementing the corridor vision study that City Council received in January 2013. The presentation and discussion will consist of:

- Feedback received from participants from the property and business owner meetings and community workshop conducted during July, 2016;
- Follow-up information regarding motor vehicle related uses and an alternate street cross-section for Belt Line Road/Main Street (west of Greenville Avenue); and
- Additional recommendations for consideration related to the rezoning initiative.

The discussion and feedback received from the City Council will assist staff and the city’s consultant team as we draft new comprehensive development regulations for the four sub-districts located within the south end of the corridor, as well as refinements to the existing Main Street/Central Expressway Form Based Code for the centrally located sub-districts.

**Board/Commission Action:** None

**Action Proposed:** Review and Discuss



City of Richardson  
City Council Worksession  
Agenda Item Summary



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**City Council Meeting Date:** Monday, August 1, 2016

**Agenda Item:** Review and Discuss Environmental Partnership Initiatives

**Staff Resource:** Don Magner, First Assistant City Manager

**Summary:** Staff will provide an overview of a variety of environmental partnership initiatives as well as possible strategies to increase volunteerism in these areas.

**Board/Commission Action:** N/A

**Action Proposed:** N/A

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**MINUTES**  
**RICHARDSON CITY COUNCIL**  
**BUDGET WORKSHOP MEETING**  
**JULY 19 AND 20, 2016**

• **Call to Order**

Mayor Voelker called the meeting to order at 6:02 p.m. with the following Council members present:

Paul Voelker	Mayor
Mark Solomon	Mayor Pro Tem
Scott Dunn	Councilmember
Mabel Simpson	Councilmember (arrived at 6:06 pm)
Marta Gomez Frey	Councilmember
Steve Mitchell	Councilmember

Absent:

Bob Townsend	Councilmember
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The following staff members were also present:

Dan Johnson	City Manager
Don Magner	First Assistant City Manager
Kent Pfeil	Chief Financial Officer
Cliff Miller	Assistant City Manager Development Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Taylor Lough	Assistant to the City Manager
Gary Beane	Budget Officer

**BUDGET WORKSHOP – 6:00 P.M., RICHARDSON ROOM**

Dan Johnson, City Manager, explained that AT&T is having technical difficulties with the live streaming of this meeting.

**A. VISITORS**

There were no visitors comments submitted.

**B. REVIEW AND DISCUSS FISCAL YEAR 2016-2017 BUDGET FOR OPERATIONS, CAPITAL IMPROVEMENTS, AND DEBT SERVICE**

Mr. Johnson provided an overview of the FY 2016-2017 budget covering the key budget elements:

- |  |                            |
|--|----------------------------|
| • Property Tax                                 | • Solid Waste Fund         |
| • Revenue Overview                             | • Drainage Fund            |
| • Public Safety Initiatives                    | • Golf Fund                |
| • Maintenance Activities – General Fund        | • Hotel/Motel Fund         |
| • Maintenance Activities – Water/Sewer Fund    | • Debt and Capital Program |
| • Maintenance Activities – Facilities/Aquatics | • Staffing & Compensation  |
| • Water/Sewer Utility Fund                     | • Health Benefits          |

**Recess**

Mayor Voelker called for a recess at 7:43 p.m. He reconvened the meeting at 7:52 p.m.

Gary Beane, Budget Officer, reviewed the General Fund revenues and expenditures for estimated FY 2015-2016 and the proposed FY 2016-2017 budget.

Kent Pfeil, Chief Financial Officer, presented information on the FY 2016-2017 debt program.

**Recess**

Mayor Voelker recessed the meeting at 9:32 p.m. and stated the meeting would reconvene on Wednesday, July 20 at 6:00 p.m.

**Reconvene – July 20, 2016 at 6:00 p.m.**

Mayor Voelker reconvened the meeting at 6:02 p.m. with all Councilmembers present except for Councilmember Townsend.

Gary Beane, Budget Officer, reviewed the following:

- Revenues and Expenditures for Water/Sewer Fund
- Revenues and Expenditures for Solid Waste Fund
- Revenues and Expenditures for Golf Fund
- Revenues and Expenditures for Hotel/Motel Fund

Mr. Johnson, City Manager, summarized the major discussion points for the budget over the two nights. Mayor and City Council offered concluding comments

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:44 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES  
RICHARDSON CITY COUNCIL  
WORK SESSION AND MEETING  
JULY 25, 2016**

**A. Call to Order**

Mayor Voelker called the meeting to order at 6:03 p.m. with the following Council members present:

Paul Voelker	Mayor
Bob Townsend	Councilmember
Mark Solomon	Mayor Pro Tem
Scott Dunn	Councilmember
Mabel Simpson	Councilmember
Marta Gomez Frey	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	First Assistant City Manager
Kent Pfeil	Chief Financial Officer
Cliff Miller	Assistant City Manager Development Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Taylor Lough	Assistant to the City Manager
Michael Spicer	Director of Development Services
Brent Tignor	Chief Building Official

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

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

Michael Spicer, Director of Development Services, reviewed Zoning Case Files 16-13, 16-14, 16-16, and 16-17. He also reviewed Variance request 16-03.

**Recess**

Mayor Voelker recessed the Work Session at 6:59 p.m. and reconvened it at 11:00 p.m.

**B. REVIEW AND DISCUSS ENHANCEMENTS TO CHAPTER 18 OF THE CITY'S CODE OF ORDINANCES CONCERNING SIGN REGULATIONS**

Don Magner, First Assistant City Manager, reviewed this item for Council.

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

There were no items of community interest reported.

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

- 1. INVOCATION – STEVE MITCHELL**
- 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – STEVE MITCHELL**



### 3. MINUTES OF THE JUNE 20, 2016, JUNE 27, 2016, AND JULY 18, 2016 MEETINGS

#### Council Action

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

### 4. VISITORS

Mr. Jerry Nichols, 2005 Portsmouth Dr., Richardson, addressed Council regarding the 8<sup>th</sup> Annual Senior Awareness Day on July 29, 2016.

The following addressed Council requesting a review of the City's sign ordinance, specifically the amount of time allowed for electronic messaging for schools in particular.

Ms. Elyzabeth Worlein, 2112 Flat Creek Dr.  
Ms. Kathy Dreyer, 2 Lundys Lane  
Shelley Hicks, 2212 Sutton Place

In support of the same but not speaking:  
Tracie McCormick  
Elena Berry  
Rebecca Sheddric  
Patricia Evans

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

5. **PUBLIC HEARING, ZONING FILE 16-13: A REQUEST BY TRAVIS THOMPSON, REPRESENTING TWIN RIVERS CAPITAL PARTNERS, FOR A CHANGE IN ZONING FROM R-1800-M RESIDENTIAL TO PD PLANNED DEVELOPMENT TO ACCOMMODATE DEVELOPMENT OF A 43-UNIT RESIDENTIAL COMMUNITY, INCLUDING APARTMENTS AND/OR TOWNHOMES, TO BE LOCATED ON AN APPROXIMATELY 2.7-ACRE TRACT (WESTERN PORTION OF A 4.7-ACRE TRACT) LOCATED AT 700 N. PLANO ROAD (EAST SIDE OF PLANO ROAD, APPROXIMATELY 1,200 FEET SOUTH OF ARAPAHO ROAD).**

#### Public Hearing

Following the staff presentation by Development Services Director Michael Spicer; the applicant, Travis Thompson, presented information to Council. The following registered their position:

#### Opposed - Speaking

1. Dwala Kuhn, 806 Allison
2. Anna Balderas, 801 Willow Crest
3. Sharon Swink, 1513 Creekside
4. Aaron Hollis, 400 Fireside
5. Anthony Rice, 1505 Creekside
6. Michael Smith, 1512 Creekside
7. Nancy Smith, 1512 Creekside
8. Laurie Ahrens, 612 Woodhill Circle
9. Brian Ericson, 401 Creekside
10. Pam Strauss, 1704 Piper Ct.
11. Diana Clawson, 800 Westminster

#### Opposed – Not Speaking

12. Frank Lopez
13. Linda Lewis
14. Jim Lewis
15. Bill Geyer
16. Lurice Chen
17. Kou Jou Chen
18. Kathy Mahdah
19. Ralf Kittenbacher
20. Dedra Johnson
21. Amanda Aiuvalasit
22. Carmen and Les Herndon
23. Betty Davenport
24. Cindy McCarthy
25. Pam Holloway

### **In Favor – Speaking**

1. Sheila Greer, 700 N. Plano Rd., Richardson
2. Lon Thomas, 1112 Horizon Trail, Richardson
3. Mike Thompson, Twin Rivers Senior Community, Richardson (applicant)

### **In Favor – Not Speaking**

4. Richard Metersky, architect for the applicant, Fort Worth
5. Brenda Rankin
6. David Greer
7. Michael Morawey

With no further public comments, Councilmember Frey moved to close the Public Hearing, seconded by Mayor Pro Tem Solomon, and approved unanimously.

### **Council Action**

Councilmember Townsend moved to approve the request with the condition that the trees be a minimum of five inch caliper. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

6. **PUBLIC HEARING, ZONING FILE 16-14: A REQUEST BY TRAVIS THOMPSON, REPRESENTING TWIN RIVERS CAPITAL PARTNERS, FOR A CHANGE IN ZONING FROM R-1800-M RESIDENTIAL TO PD PLANNED DEVELOPMENT FOR THE R-1800-M RESIDENTIAL DISTRICT TO ACCOMMODATE A LOT WITHOUT FRONTAGE, TO BE LOCATED ON AN APPROXIMATELY 2.0-ACRE TRACT (EASTERN PORTION OF A 4.7-ACRE TRACT) LOCATED AT 700 N. PLANO ROAD (EAST SIDE OF PLANO ROAD, APPROXIMATELY 1,200 FEET SOUTH OF ARAPAHO ROAD).**

### **Public Hearing**

Following the staff presentation by Development Services Director Michael Spicer; the applicant, Travis Thompson, presented information to Council. There were no public comments submitted. Mayor Pro Tem Solomon moved to close the Public Hearing, seconded by Councilmember Frey, and approved unanimously.

### **Council Action**

Councilmember Mitchell moved to approve the request as presented. Councilmember Townsend seconded the motion. Mayor Pro Tem Solomon requested to amend the motion to add the condition that trail and trail-like amenities are acceptable in the open space. Councilmember Mitchell and Councilmember Townsend agreed to this amendment. A vote was taken and passed, 7-0.

7. **PUBLIC HEARING, ZONING FILE 16-16, AND CONSIDER ADOPTION OF ORDINANCE NO. 4172, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A MASSAGE ESTABLISHMENT ON A 5.455-ACRE TRACT OF LAND ZONED PD PLANNED DEVELOPMENT LOCATED AT 401 W. PRESIDENT GEORGE BUSH TURNPIKE, RICHARDSON, TEXAS.**

### **Public Hearing**

Following a staff review by Development Services Director Michael Spicer, the applicant, Brian Showalter, requested approval for the zoning change. Steven Barker, 3430 County Square Drive, Carrollton, spoke in favor of this request. With no further public comments, Councilmember Dunn moved to close the Public Hearing, seconded by Councilmember Simpson, and approved unanimously.

### **Council Action**

Councilmember Dunn moved to approve the request as submitted. Councilmember Frey seconded the motion. A vote was taken and passed, 7-0.

8. **PUBLIC HEARING, ZONING FILE 16-17, AND CONSIDER ADOPTION OF ORDINANCE NO. 4173, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM I-FP(1) INDUSTRIAL DISTRICT TO PD PLANNED DEVELOPMENT FOR THE I-FP(1) INDUSTRIAL DISTRICT FOR 27.924 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF SHILOH ROAD AND BRECKINRIDGE BOULEVARD.**

### **Public Hearing**

Following a staff review by Development Services Director Michael Spicer, the applicant, Greg Clay, was available to answer questions from Council. With no public comments submitted, Councilmember Dunn moved to close the Public Hearing, seconded by Councilmember Frey, and approved unanimously.

### **Council Action**

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

### **ACTION ITEMS:**

9. **VARIANCE 16-03: A REQUEST BY JOHN CASEY, GLENN ENGINEERING CORP., REPRESENTING RICHARDSON I.S.D. FOR A VARIANCE FROM CHAPTER 21, THE SUBDIVISION AND DEVELOPMENT CODE, TO WAIVE THE MASONRY SCREENING REQUIREMENT FOR A NONRESIDENTIAL USE ABUTTING A RESIDENTIAL ZONING DISTRICT LOCATED AT 1200 LARKSPUR DRIVE.**

### **Council Action**

Councilmember Townsend moved to approve this item as presented. Mayor Pro Tem Solomon seconded the motion. A vote was taken and passed, 7-0.

10. **CONSIDER ADOPTION OF ORDINANCE NO. 4174, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR AN ELECTRONIC-CIGARETTE ESTABLISHMENT ON A 1.69-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL DISTRICT LOCATED AT 3601 N. JUPITER ROAD, RICHARDSON, TEXAS.**

### **Council Action**

Mayor Pro Tem Solomon moved to approve this item as presented. Councilmember Dunn seconded the motion. A vote was taken and passed, 6-1 with Councilmember Mitchell opposed. Mr. Mitchell stated that he was voting in opposition to be consistent with his vote on the zoning case.

#### **11. CONSENT AGENDA:**

- A. CONSIDER ADOPTION OF ORDINANCE NO. 4175, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A COMMERCIAL AMUSEMENT CENTER LIMITED TO AN INDOOR CHILDREN'S PLAY PLACE ON A 7.08-ACRE TRACT OF LAND ZONED PD PLANNED DEVELOPMENT FOR THE LR-M(2) LOCAL RETAIL DISTRICT LOCATED AT 2701 CUSTER PARKWAY, RICHARDSON, TEXAS.**
  
- B. CONSIDER RESOLUTION NO. 16-19, APPROVING THE TERMS AND CONDITIONS OF THE LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT FOR A SURFACE TRANSPORTATION PROGRAM – METROPOLITAN MOBILITY PROJECT (OFF-SYSTEM) FOR THE CAMPBELL ROAD PROJECT, BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS, AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.**
  
- C. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING BIDS:**
  - 1. BID #68-16 – 2016 BRIDGE RAIL MAINTENANCE PROJECT AT KCS RAILROAD AND ALMA DRIVE AND KCS RAILROAD AND RICHARDSON DRIVE. BIDS TO BE RECEIVED BY FRIDAY, AUGUST 19, 2016 AT 2:00 P.M.**
  
  - 2. BID #70-16 – FLOYD BRANCH CHANNEL MAINTENANCE AT BUCKINGHAM ROAD. BIDS TO BE RECEIVED BY THURSDAY, AUGUST 11, 2016 AT 2:30 P.M.**
  
- D. CONSIDER AWARD OF THE FOLLOWING BIDS:**
  - 1. BID #51-16 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO DYNA PAK CORPORATION FOR RECYCLE AND TRASH BAGS PURSUANT TO UNIT PRICES.**
  
  - 2. BID #59-16 – WE RECOMMEND THE AWARD TO ROCK SOLID, INC., FOR THE COTTONWOOD PARK LAKE EROSION CONTROL PROJECT IN THE AMOUNT OF \$131,549.**
  
  - 3. BID #71-16 – WE REQUEST AUTHORIZATION TO ISSUE PURCHASE ORDERS FOR FY 2015-16 CELLULAR COMMUNICATION SERVICES**

**TO AT&T (\$180,000) THROUGH THE STATE OF TEXAS  
DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-TSO-  
3420 AND TO VERIZON WIRELESS (\$100,000) CONTRACT #DIR-TSO-  
3415 FOR AN ESTMATED TOTAL AMOUNT OF \$280,000.**

**Council Action**

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

**ADJOURNMENT**

With no further business, the meeting was adjourned at 11:22 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY



City of Richardson  
City Council Worksession  
Agenda Item Summary



**Worksession Meeting Date:** Monday, August 1, 2016

**Agenda Item:** Consider Setting Public Hearings on August 22 and August 29, 2016 on the Proposed Tax Rate of \$0.63516 per \$100 Valuation for Fiscal Year 2016-2017.

**Staff Resource:** Dan Johnson, City Manager

**Summary:** State law requires that the City Council take a record vote on the proposed tax rate for Fiscal Year 2016-2017 and schedule public hearings on the tax rate.

**Board/Commission Action:** N/A

**Action Proposed:** Consider Setting Public Hearings on August 22 and August 29, 2016 on the Proposed Tax Rate of \$0.63516 per \$100 Valuation for Fiscal Year 2016-2017.





City of Richardson  
City Council Worksession  
Agenda Item Summary



**Worksession Meeting Date:** Monday, August 1, 2016

**Agenda Item:** Consider setting Public Hearing on August 22 for the Proposed Fiscal Year 2016-2017 Richardson Municipal Budget.

**Staff Resource:** Dan Johnson, City Manager

**Summary:** City Charter Section 11.04 requires that the City Council name the date and place of a public hearing to be held no less than fifteen days after the budget is filed. The proposed public hearing date is Monday, August 22, 2016.

**Board/Commission Action:** N/A

**Action Proposed:** Set a Public Hearing on August 22, 2016 on Proposed Budget for Fiscal Year 2016-2017.



**ORDINANCE NO. 4176**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 18, SIGN REGULATIONS, BY DELETING THE DEFINITION OF “DIRECTOR OF COMMUNITY SERVICES” AND ADDING A DEFINITION FOR “BUILDING OFFICIAL”; BY CHANGING THE REFERENCES TO “DIRECTOR OF COMMUNITY SERVICES” WHEREVER IT APPEARS IN CHAPTER 18 TO “BUILDING OFFICIAL”; BY AMENDING SECTION 18-96 (8) (f) (2) TO CHANGE THE MINIMUM TIME PERIOD FOR DISPLAY OF ELECTONIC MESSAGING; BY AMENDING SECTION 18-96 (16) (d) TO DELETE SUBPART (2) TO ELIMINATE THE MINIMUM LOCATION DISTANCE FOR MENU BOARDS FROM PRIVATE PROPERTY LINES; BY AMENDING SECTION 18-96 (18) (b) (2) BY CHANGING THE MAXIMUM HEIGHT OF MULTIPLE-USE MONUMENT SIGNS TO EIGHT FEET; BY AMENDING SECTION 18-96 (24) (g) (1) TO CHANGE THE REFERENCE TO COMMUNITY SERVICES DEPARTMENT TO BUILDING INSPECTIONS DEPARTMENT; BY AMENDING SECTION 18-96 (32) (b) TO DELETE SUBPART (2) AND SECTION 18-96 (32) (d) TO LIMIT LOCATION OF SUBDIVISION, HOME BUILDER AND DEVELOPER SIGNS TO ON-SITE; BY AMENDING SECTION 18-96 (33) (a) AND (c) TO EXCLUDE HOT AIR BALLOON SHAPED AND OTHER INFLATABLE TYPE SIGNS AS TEMPORARY PROMOTIONAL SIGNS AND TO LIMIT THE NUMBER OF FREESTANDING TEMPORARY PROMOTIONAL SIGNS TO FOUR (4) SIGNS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.**

**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 18, Sign Regulations Section 18-2, Definitions, in part, by deleting the definition of “Director of Community Services” and by adding a definition for “Building Official”, to read in part as follows:

**“Sec. 18-2. Definitions.**

...

*Building Official* means the City Building Official or designee, or other officer or person appointed by the city manager charged with the administration and enforcement of this chapter.

...”



**SECTION 2.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18 Sign Regulations, in part, by changing the references to “Director of Community Services” and “Director of Community Services, or designee” wherever such phrases appear in Chapter 18 to “Building Official”.

**SECTION 3.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18 Sign Regulations Section 18-96 (8) (f) (2), in part, by changing the minimum time period for the display for electronic messaging to at least four (4) minutes, to read as follows:

**“Sec. 18-96. Sign types described.**

...

(8) Electronic messaging.

...

f. Design:

...

2. Each message shall be displayed for at least four minutes and a change of message shall be accomplished within two seconds or less.

....”

**SECTION 4.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18 Sign Regulations, Section 18-96 (16) (d) in part to delete subpart (2) to eliminate the minimum distance location for menu boards from private property lines.

**SECTION 5.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18 Sign Regulations, Section 18-96 (18) (b) (2) in

part by changing the maximum height of multiple-use monument signs to six feet to read as follows:

“Sec. 18-96. Sign types described.

....

(18) Monument signs.

....

b. Size:

....

2. Multiple-use monument signs: 80 square feet in area, eight feet in height.

....”

**SECTION 6.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18 Sign Regulations, Section 18-96 (24) (g) (1) to change the reference to “community services department” to “Building Inspections Department”.

**SECTION 7.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18 Sign Regulations, Section 18-96 (32) (b), in part, to delete subpart (2) and Section 18-96 (32) (d), in part, to limit the location of subdivision, home builder and developer signs to on-site, to read as follows:

**“Sec. 18-96. Sign types described.**

...

**(32) Subdivision, home builder, developer signs.**

...

b. Size: Onsite: 96 square feet in area, 15 feet in height.

c. ....

- d. Location: Signs may be placed within the boundary of the subdivision or development under construction.

...”

**SECTION 8.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18 Sign Regulations, Section 18-96 (33) (a), in part, to exclude hot air balloon shaped and other inflatable type signs as temporary promotional signs and Section 18-96 (33) (c), in part, to limit the number of freestanding temporary promotional signs to four (4), to read as follows:

**“Sec. 18-96. Sign types described.**

.....

(33) Temporary promotional signs.

- a. Signs, banners, flags, balloons or pennants designed, excluding hot air balloon shaped and other inflatables intended or used to advertise or inform about an activity, place, product, person, organization, business, service, merchandise program, opening of a retail or commercial establishment, special program of a public institution, or the opening of a single-family subdivision or multifamily complex.

....

- c. Number: Freestanding temporary signs are limited to a maximum of 4.

...”

**SECTION 9.** That all provisions of the ordinances of the City of Richardson 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 not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 10.** 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 11.** That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 12.** That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

**SECTION 13.** 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 1st day of August, 2016.

APPROVED:

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

\_\_\_\_\_  
CITY ATTORNEY  
(PGS:7-28-16:TM 78025)

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

**RESOLUTION NO. 16-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROJECT SPECIFIC AGREEMENT TO THE MASTER AGREEMENT GOVERNING MAJOR CAPITAL IMPROVEMENT PROGRAM (HEREINAFTER “PROJECT SPECIFIC AGREEMENT”), BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS (HEREINAFTER “CITY”) AND THE COUNTY OF DALLAS, TEXAS (HEREINAFTER “COUNTY”), FOR THE DUCK CREEK TRAIL EXTENSION PROJECT (HEREINAFTER “PROJECT”), AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; AUTHORIZING ITS EXECUTION BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 791 of The Texas Government Code and Chapter 251 of the Texas Transportation Code provide authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of road construction or improvement of road or street projects; and

**WHEREAS**, City and County entered into a Master Agreement Governing Major Capital Improvement Program on July 5, 2011, by Commissioners Court Order 2011-1203 for the purpose of Transportation Improvements on roads inside Dallas County; and

**WHEREAS**, City has requested that it be designated as the Lead Agency for the project and will provide the Project Manager; and

**WHEREAS**, the City Council has been presented with a proposed Project Specific Agreement to the Master Agreement Governing Major Capital Investment Program for the purpose of transportation improvements on the Duck Creek Trail Extension from 200 yards west of International Parkway and E. Collins Blvd. to Duck Creek; then following Duck Creek south to Arapaho Road; then following Arapaho Road to an intersection with N. Plano Road; then south along N. Plano Road and connecting to Huffhines Park with possible connections to Owens Trail and Duck Creek Trail, for the Duck Creek Trail Extension Project, MCIP Project 12110; and

**WHEREAS**, upon full review and consideration of the Project Specific Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute the Project Specific Agreement on behalf of the City of Richardson, Texas;

**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 Project Specific Agreement to the Master Agreement Governing Major Capital Investment Program for the

purpose of transportation improvements on the Duck Creek Trail Extension Project, a copy of which is attached hereto as Exhibit "A", be, and the same are, hereby approved.

**SECTION 2.** That the Mayor is hereby authorized to execute the Project Specific Agreement on behalf of the City, and any amendments or other instruments related thereto.

**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 1<sup>st</sup> day of August, 2016.

CITY OF RICHARDSON, TEXAS

---

MAYOR

ATTEST:

---

CITY SECRETARY

APPROVED AS TO FORM:

---

PETER G. SMITH, CITY ATTORNEY  
(PGS:7-29-16:TM 78053)

# **EXHIBIT “A”**

**Dallas County Capital Improvement Program  
Project Specific Agreement  
to the Master Agreement Governing  
Major Capital Improvement Program**

**Dallas County Capital Improvement Program**  
**Project Specific Agreement**  
to the Master Agreement Governing  
Major Capital Improvement Program

This Project Specific Agreement hereinafter called "PSA" to the Master Agreement Governing Major Capital Improvement Program ("Master Agreement") is made by and between the City of Richardson, Texas, hereinafter called "City," and the County of Dallas, Texas, hereinafter called "County," acting by and through its duly authorized officials, for the purpose of Transportation Improvements on the Duck Creek Trail Extension from 200 yards west of International Parkway and E. Collins Blvd to Duck Creek. Then, following Duck Creek south to Arapaho Road. Then following Arapaho Road to an intersection with N. Plano Road; then south along N. Plano Road and connecting to Huffhines Park with possible connections to Owens Trail and Duck Creek Trail, MCIP Project 12110, hereinafter called "Project."

**WHEREAS**, the City has requested that it be designated as the Lead Agency for the project and will provide the Project Manager;

**WHEREAS**, City and County entered into a Master Agreement Governing Major Capital Improvement Program on July 5, 2011, by Commissioners Court Order 2011-1203 for the purpose of Transportation Improvements on roads inside Dallas County; and

**WHEREAS**, Chapter 791 of the Texas Government Code and Chapter 251 of the Texas Transportation Code provide authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of road construction or improvement of road or street projects.

**NOW THEREFORE THIS FUNDING AGREEMENT** is made by and entered into by the City and the County for the mutual consideration stated herein.

**Witnesseth**

**Article I.**

**Project Funding Agreement**

This PSA is to specifically identify the Project, changes in the rights and responsibilities of each of the parties as set forth in the Master Agreement and additions thereto as incorporated herein. This PSA will be an addition to the Master Agreement and incorporate each of its terms and conditions. All terms of the Master Agreement remain in full force and effect except as modified herein. In the event of any conflict between the Master Agreement and this PSA, this PSA shall control.

**Article II.**

**Incorporated Documents**

This PSA incorporates, as if fully reproduced herein word for word and number for number, the following items:

1. Master Agreement authorized by County Commissioners Court Order 2011-1203 dated July 5, 2011, and additions thereto as incorporated herein.
2. Project Vicinity Map, attached and incorporated herein as Attachment "A."
3. Current Cost Estimates and Funding Sources, attached and incorporated herein as Attachment "B."



### **Article III.**

#### **Term of PSA**

This PSA shall become effective when signed by the last party whose signature makes the respective agreement fully executed and shall terminate upon the completion and acceptance of the Project by Dallas County Commissioners Court or upon the terms and conditions in the Master Agreement, Article IV., Section A, Termination.

### **Article IV.**

#### **Project Description**

This PSA is entered into by the parties for public transportation improvements within the City of Richardson. The Project is defined as the design of an approximately 1.9 mile trail, beginning 200 yards West of International Parkway and E Collins Blvd to Duck creek following Duck creek to South to Plano road and Arapaho following N. Plano Road south to 200 yards west of International Parkway and E. Collins Blvd. to Duck Creek. Then, following Duck Creek south to Arapaho Road. Then following Arapaho Road to an intersection with N. Plano Road; then south along North Plano Road and connecting to Huffhines Park with possible connections to Owens Trail and Duck Creek Trail. County's contribution will be used for design only. This Project will facilitate the movement of public transportation to benefit both the City and County. The City does hereby give its approval for the expenditure of County funds for the design of a trail located within the municipality.

### **Article V.**

#### **Fiscal Funding**

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this PSA, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this PSA, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, as its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

### **Article VI.**

#### **Agreements**

##### **County and City Responsibilities**

1. City will be the Lead Agency for the Project.
2. City and County mutually agree that the Project limits will be from 200 yards west of International Parkway and E. Collins Blvd. to Duck Creek following Duck Creek to South to Plano

Road and Arapaho following N. Plano Road south to 200 south of Plano Road and Apollo Road connecting to Huffhines Park and alternative alignment of Plano Road and East Arapaho to existing Junction of Owens Trail and Duck Creek Trail

3. The agreed upon Standard Basic Project Design shall be the Standard Basic Project Design for the Project. Such design shall be the Standard Basic Project Design for the Project and specifically does not include Road or Street Amenity, Paving and Drainage Amenities or Utility Betterments as defined in the Master Agreement. If the City adds relocation or adjustment of City Utilities or Utility Betterments, the City agrees that it will pay 100% of the costs of these additions.

4. County and City shall execute the necessary agreements for the completion of the Project mutually agreed upon and incorporated herein by this PSA.

## **Article VII.**

### **City Responsibilities**

1. City will provide documentation of City commitment to meet the Project funding.
2. City will accomplish all tasks and responsibilities of the Lead Agency as set forth in the Master Agreement. City will provide project management in accordance with the Phase 5 Project Delivery System detailed in Exhibit "A" of the Master Agreement.
3. The City has approved the preferred alignment for City segment, proposed estimated budget and funding and has committed to meet Project funding for each milestone.
4. City shall work to ensure design is completed in a timely and effective manner.
5. City shall allow the County an opportunity to review design plans.
6. The Project may require the acquisition of right-of-way. Such right-of-way acquisition will be the responsibility of the City as Lead Agency.
7. City shall ensure that the design, plans, specifications and estimates meet the TxDOT requirements for federally funded projects. Proof of TxDOT approval of design shall be required prior to payment for design invoices.

## **Article VIII.**

### **County Responsibilities**

1. County agrees to participate in the City led project as a funding participant in the design phase.
2. The review of, comments to, and approval or acceptance of work performed by City, its contractors or subcontractors' work by the County shall not constitute nor be deemed either controlling or a release of the responsibility, and liability of City regarding its consultant, employees, subcontractors, agents and consultants for the accuracy and competency of their work. Nor shall such approval and acceptance be deemed to be an assumption of such responsibility by the County for any defect, error or omission in the work prepared.

## **Article IX.**

### **Funding**

County and City mutually agree to proportionately fund the Direct Project and Program cost as follows:

1. Notwithstanding any provision in the Master Agreement, this PSA, any amendment thereto, or any other agreement between the parties regarding this project, the total Project cost is estimated to be Four Hundred Thousand Dollars and no cents (\$400,000.00). County's total obligation to this Project is to provide funding in an amount not to exceed Two Hundred Thousand Dollars and no cents (\$200,000.00), reduced by all County in-house delivery costs of the total Project cost, estimated to be \$20,000.00, to be used for design only. The City agrees to provide funding to this Project in the amount of Two Hundred Thousand Dollars and no cents (\$200,000.00).

2. Project costs may include all County project delivery costs including but not be limited to preliminary scoping and research, preliminary design services, special services, and primary design services.
3. The City shall be responsible for any additional Project costs if such additional funding commitments are approved by Administrative Action signed by the Mayor or by resolution of the City Council.
4. County's sole obligation for the Project is as a funding participant in the design phase as shown herein. Any overruns on the City-funded segment are the sole responsibility of the City. County has no further obligations to the City. City agrees that the funding received is contingent upon Dallas County Commissioners Court approval and funding and that City is responsible for the payment of all Project financial obligations.
5. County agrees to encumber an amount adequate for total estimated project costs as determined prior to the commencement of each Project milestone as determined by City within 30 days of notification by City. County will pay Project costs as invoiced by the City on a monthly basis.

## Article X.

### Miscellaneous

1. **Indemnification.** County and City agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this PSA, without waiving any governmental immunity available to County or City or their respective officials, officers, employees, or agents under Texas or other law and without waiving any available defenses under Texas or other law. Nothing in this paragraph will be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.
2. No Third Party Beneficiaries. The terms and provisions of this PSA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of City and County that any entity other than City or County receiving services or benefits under this PSA shall be deemed an incidental beneficiary only. This PSA is intended only to set forth the contractual right and responsibilities of the parties hereto.
3. Governing Law and Venue. This PSA is and shall be expressly subject to the Sovereign Immunity of County and Governmental Immunity of City, Title 5 of the Texas Civil Practice and Remedies Code, as amended, and all applicable Federal and State laws. This PSA shall be governed by and construed in accordance with the laws and case decisions of the State of Texas. Exclusive venue for any legal action regarding this PSA filed by either City or County shall be in Dallas County, Texas.
4. Notice. Any notice provided for in this Agreement to be given by either party to the other, shall be required to be in writing and shall be deemed given when personally delivered, or two (2) business days after being deposited in the United States Mail, postage prepaid, by certified mail, return receipt requested; or by registered mail; and addressed as follows:

To County: County of Dallas  
 Ms. Alberta L. Blair, P.E.  
 Director of Public Works  
 Dallas County Administration Building  
 411 Elm Street, Fourth Floor  
 Dallas County, Texas 75202-3389

To City: City of Richardson

Kurt Beilharz RLA  
Superintendent of Park Planning  
Richardson Parks & Recreation Department  
Richardson, Texas 75083

- Either party may change its address for notice by giving the other party notice thereof.
5. Assignment. This PSA may not be assigned or transferred by either party without the prior written consent of the other party.
  6. Binding Agreement; Parties Bound. When this PSA has been duly executed and delivered by both parties, this PSA shall constitute a legal, valid and binding obligation of the parties, their successors and permitted assigns.
  7. Amendment. This PSA may not be amended except in a written instrument specifically referring to this PSA and signed by the parties hereto.
  8. Number and Gender. Words of any gender used in this PSA shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.
  9. Counterparts. This PSA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
  10. Severability. If one or more of the provisions in this PSA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this PSA to be invalid, illegal or unenforceable, but this PSA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this PSA, which shall remain in full force and effect.
  11. Entire Agreement. This PSA embodies the complete agreement of the parties, supersedes all oral or written previous and contemporary agreements between the parties and relating to matters in the PSA.
  12. Contingent. This Agreement is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council.

The City of Richardson, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution \_\_\_\_\_, Minutes \_\_\_\_\_ Dated the \_\_\_ day of \_\_\_\_\_, 2016.

The County of Dallas, State of Texas, has executed this agreement pursuant to Commissioners Court Order Number \_\_\_\_\_ and passed on the \_\_\_ day of \_\_\_\_\_, 2016.

County of Dallas:

City of Richardson:

Paul Voelker

\_\_\_\_\_  
Clay Lewis Jenkins, County Judge

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved as to Form\*:

Approved as to Form:

Susan Hawk  
District Attorney

By: \_\_\_\_\_  
Jana Prigmore Ferguson  
Assistant District Attorney

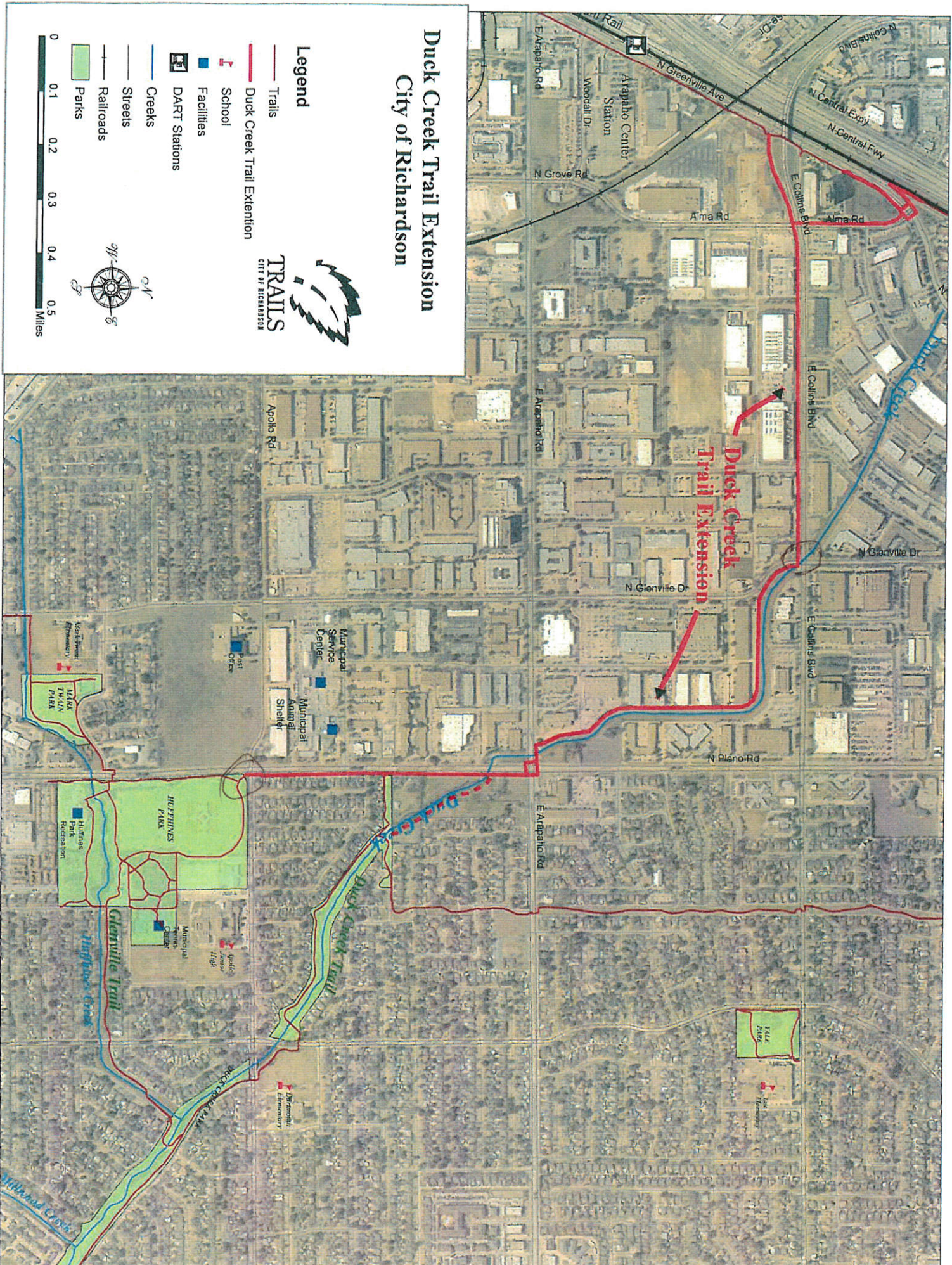
By: \_\_\_\_\_

\*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

# Duck Creek Trail Extension City of Richardson



- Legend**
- Trails
  - Duck Creek Trail Extension
  - School
  - Facilities
  - DART Stations
  - Creeks
  - Streets
  - Railroads
  - Parks



**ATTACHMENT B**  
**Project Specific Agreement for**  
**Transportation Major Capital Improvement Projects**  
**CURRENT COST ESTIMATES & FUNDING SOURCES**

**City of Richardson and Dallas County**  
**Project Name: Duck Creek Trail Extension**  
**MCIP Project 12110**

<b>Project Cost</b>	
<b>Expenditure</b>	<b>Estimated Cost</b>
<b>Total Cost of Project (Design only)</b>	<b>\$ 400,000.00</b>

<b>Funding Source</b>	
<b>Source</b>	<b>Committed Amount</b>
Dallas County	\$ 180,000.00
Dallas County IHPD	\$ 20,000.00
City of Richardson	\$ 200,000.00
<b>Total Project Funding</b>	<b>\$ 400,000.00</b>



## MEMO

DATE: July 28, 2016

TO: Keith Dagen – Director of Finance

FROM: Todd Gastorf – Purchasing Manager *TG*

SUBJECT: Award of Bid #60-16 for the East Pond Outlet Repairs Renner Road Ponds in Breckinridge Park in the amount of \$135,237.25

Proposed Date of Award: August 1, 2016

I concur with the recommendation of Steve Spanos – Director of Engineering, and request permission to award a contract to the lowest responsible bidder, R-TEX Services, LLC, for the above referenced construction in the amount of \$135,237.25, as outlined in the attached memo.

Funding is provided from 2015 C.O. Supplement.

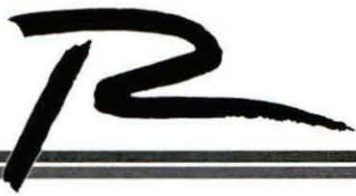
The bid was advertised in *The Dallas Morning News* on June 15 & 22, 2016 and posted on Bidsync. A total of 596 electronic solicitations were distributed and 23 vendors viewed the bid. A pre-bid conference was held on June 28, 2016 and 4 bids were received.

Concur:

  
\_\_\_\_\_  
Keith Dagen

ATTACHMENTS





## MEMO

TO: Dan Johnson, City Manager  
THROUGH: Cliff Miller, Assistant City Manager *cm*  
FROM: Steve Spanos, P.E., Director of Engineering  
SUBJECT: Award of Bid No. 60-16 to R-Tex Services, LLC, for the East Pond Outlet Repairs - Renner Road Ponds in Breckinridge Park  
DATE: July 22, 2016

### **ACTION REQUESTED:**

Council to consider award of Bid No.60-16 to R-Tex Services, LLC, for the East Pond Outlet Repairs - Renner Road Ponds in Breckinridge Park in the amount of \$135,237.25.

### **BACKGROUND INFORMATION:**

On July 12, 2016 the Capital Projects Department opened bids for the referenced project. The attached bid tabulation certifies the lowest base bid was submitted by R-Tex Services, LLC, in the amount of \$135,237.25. City staff has reviewed the references and financial information submitted by the company and recommends awarding the project to R-Tex Services, LLC.

Gradual erosion of the pond embankment next to Rowlett Creek and the area around the pond outlet structure has caused the water level in the pond to drop about 3-feet below its normal level. This project will repair the eroded areas, restore the pond embankment and the normal water level in the pond. The eroded area will be restored to grade with compacted fill and then revegetated. Turf reinforcing mat will be installed in areas susceptible to erosion, and a new debris grate will be added to the outlet structure to aid in system maintenance.

### **FUNDING:**

Funding is provided by 2015 C.O. Supplement.

### **SCHEDULE:**

The Capital Projects Department plans for this project to begin construction September 2016 and be completed by November 2016.

cc: Edward Witkowski, P.E. *EW*

**EAST POND OUTLET REPAIRS - RENNER ROAD PONDS IN BRECKINRIDGE PARK**

**Bid# 60-16**

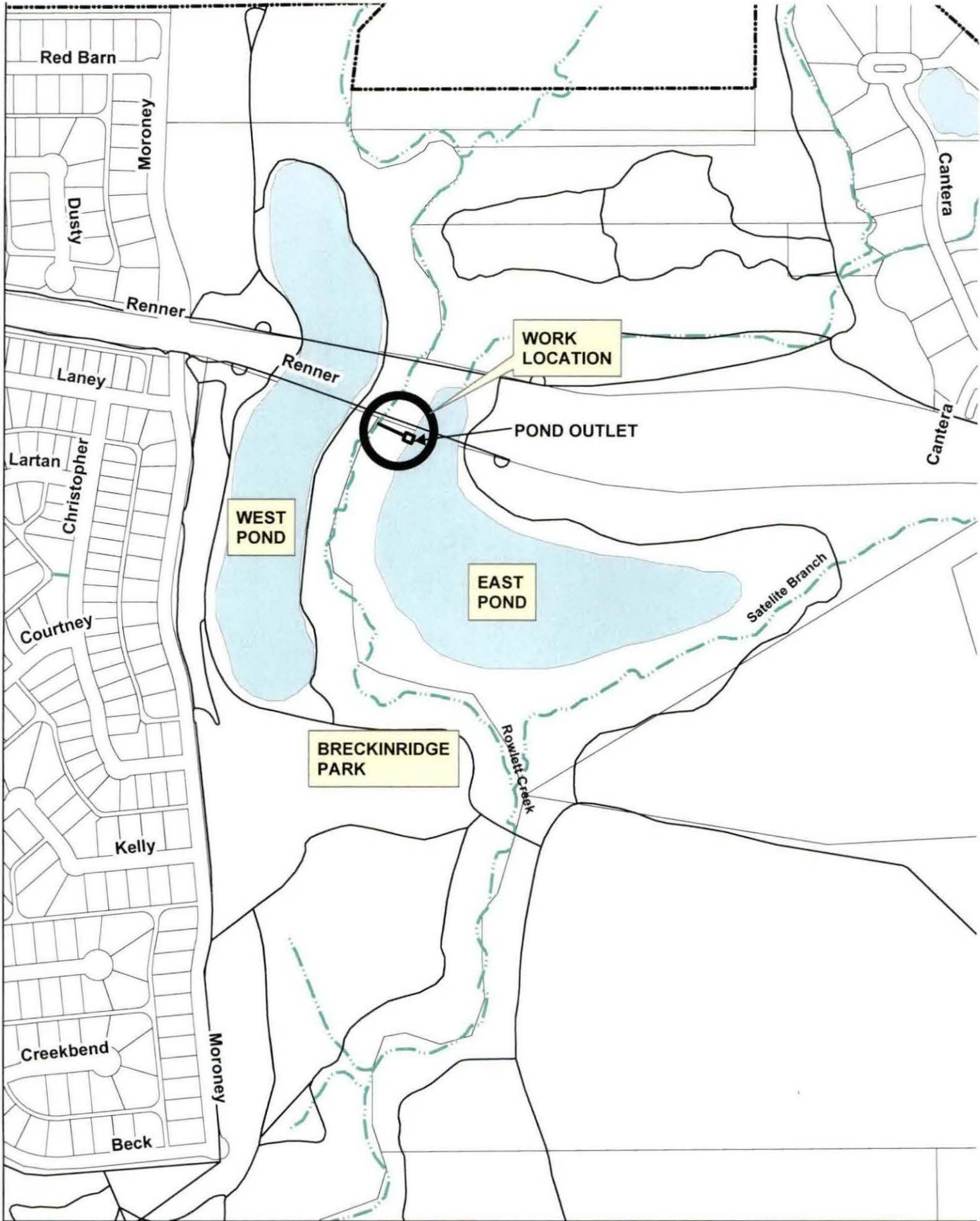
**Bid Opening July 12, 2016**

ITEM	DESCRIPTION	QTY.	UNIT	R-Tex Services, LLC		Rock Solid, Inc.		ERS of MS, Inc.		GHB Equipment CO., LLC		AVERAGES	
				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Mobilization, Bonds and Insurance, including cleanup, safety fencing, restoration and demobilization	1	LS	\$25,316.10	\$25,316.10	\$20,000.00	\$20,000.00	\$30,000.00	\$30,000.00	\$20,000.00	\$20,000.00	\$23,829.03	\$23,829.03
2	All Traffic Control, Barricading and Signing Measures	1	LS	\$4,098.60	\$4,098.60	\$5,500.00	\$5,500.00	\$11,000.00	\$11,000.00	\$6,000.00	\$6,000.00	\$6,649.65	\$6,649.65
3	Temporary erosion control, including installation, maintenance and removal of erosion control	1	LS	\$3,539.70	\$3,539.70	\$4,500.00	\$4,500.00	\$11,000.00	\$11,000.00	\$3,000.00	\$3,000.00	\$5,509.93	\$5,509.93
4	Temporary Access Route, including grading, maintenance, warning signage, sidewalk removal and replacement, and restoration after construction	1	LS	\$9,129.85	\$9,129.85	\$30,000.00	\$30,000.00	\$13,000.00	\$13,000.00	\$7,000.00	\$7,000.00	\$14,782.46	\$14,782.46
5	Debris and Vegetation Removal and Disposal, including the removal of loose rocks, soil, vegetation and debris	1	LS	\$4,935.51	\$4,935.51	\$10,000.00	\$10,000.00	\$22,000.00	\$22,000.00	\$20,000.00	\$20,000.00	\$14,233.88	\$14,233.88
6	Furnish and Place Flowable Fill Trench Embedment (2,000 PSI Concrete), including the removal and relocation of loose rocks and rubble, soil, vegetation and debris from trench	35	CY	\$224.17	\$7,845.95	\$400.00	\$14,000.00	\$800.00	\$28,000.00	\$1,500.00	\$52,500.00	\$731.04	\$25,586.49
7	Unclassified Excavation, including placement and compaction at embankment areas, according to the plans and specifications	15	CY	\$99.86	\$1,497.90	\$100.00	\$1,500.00	\$34.00	\$510.00	\$500.00	\$7,500.00	\$183.47	\$2,751.98
8	Import Clay Fill Material (PI>30), including hauling, placement and compaction, according to the plans and specifications	425	CY	\$46.68	\$19,839.00	\$70.00	\$29,750.00	\$68.00	\$28,900.00	\$100.00	\$42,500.00	\$71.17	\$30,247.25
9	Import City-provided Clay Fill Material from Existing City Stockpile at Breckinridge Park, including hauling, placement and compaction, according to the plans and specifications	425	CY	\$27.90	\$11,857.50	\$50.00	\$21,250.00	\$45.00	\$19,125.00	\$80.00	\$34,000.00	\$50.73	\$21,558.13
10	Furnish and Install Turf Reinforced Mat (Armormax or approved equal), installed in accordance with the manufacturer's recommendations, including earth anchoring system	315	SY	\$37.61	\$11,847.15	\$75.00	\$23,625.00	\$40.00	\$12,600.00	\$30.00	\$9,450.00	\$45.65	\$14,380.54
11	Remove and Replace Existing Trash Rack with new Steel Trash Rack, according to the plans and specifications	1	EA	\$3,516.99	\$3,516.99	\$6,500.00	\$6,500.00	\$8,999.00	\$8,999.00	\$5,000.00	\$5,000.00	\$6,004.00	\$6,004.00
12	Furnish and Place Buffalo Grass Solid Sod over Turf Mats, including staples to secure to slope, watering and fertilizer until established	315	SY	\$46.20	\$14,553.00	\$30.00	\$9,450.00	\$32.00	\$10,080.00	\$17.00	\$5,355.00	\$31.30	\$9,859.50
13	Furnish and Place Buffalo Grass Hydromulch in area of regrading work, including watering and fertilizer until established	1,500	SY	\$4.84	\$7,260.00	\$10.00	\$15,000.00	\$6.00	\$9,000.00	\$2.00	\$3,000.00	\$5.71	\$8,565.00
14	Construction Contingency	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
<b>TOTAL BASE BID</b>					<b>\$135,237.25</b>		<b>\$201,075.00</b>		<b>\$214,214.00</b>		<b>\$225,305.00</b>		<b>\$193,957.81</b>
<b>CONTRACTORS BID</b>					<b>\$135,234.45</b>		<b>SAME</b>		<b>SAME</b>		<b>SAME</b>		<b>SAME</b>

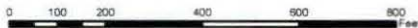
Engineers Estimate \$165,000

CERTIFIED BY:

*Steve Spanos*  
 Steve Spanos, P.E., Director of Engineering



**EAST POND OUTLET REPAIRS  
 RENNERS ROAD PONDS IN BRECKINRIDGE PARK  
 BID NO. 60 - 16  
 SEPTEMBER 2016**



**CITY OF  
 RICHARDSC  
 TEXAS**