

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL**  
**February 28, 2011**  
**City of Richardson, Texas**

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, February 28, 2011 with a quorum of said Council present, to-wit:

Gary Slagel	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Council member
John Murphy	Council member
Bob Macy	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Bill Keffler	City Manager
Dan Johnson	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
David Morgan	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
EA Hoppe	Assistant to the City Manager
Pamela Schmidt	City Secretary
Sam Chavez	Asst. Director of Development Services – Planning
Monica Heid	Community Projects Manager

- 
1. **INVOCATION**
  2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
  3. **MINUTES OF THE FEBRUARY 14, 2011 MEETING**

**ACTION TAKEN:** Mr. Murphy moved to approve the minutes as presented; second by Mr. Solomon and the motion was approved with a unanimous vote.

- 
4. **VISITORS.** *(The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Prior to the meeting, please complete a "City Council Appearance Card" and present it to the City Secretary. The time limit is five minutes per speaker.)*

Richard Tanner, 401 Ridgehaven Place, stated that according to the Local Government Code and the City Charter, the annual audit is done before the financial statement is prepared. He stated that KPMG has been auditing the financial statement and felt the work was being done backwards. He stated the Council and the City Manager have an obligation to require the Charter be followed. With regard to the Consent Agenda Item related to the Notice of Intent to issue Certificates of Obligation, he spoke against the issuance of additional debt with out a vote of the citizens and he urged the Council to let the voters decide by placing the item on the ballot. He talked about the amount of debt held by the City.

---

Mr. Keffler stated the practice of issuing certificates of obligation has been a long term practice because to spend cash when dealing with short term debt of 4 – 8 years is poor financial management and he felt it was a very good fiscal tool. He stated it allows the City to purchase the needed equipment for various departments and stated he was very comfortable with the merits of the practice. He further noted that discussion regarding the plan to issue certificates of obligation was discussed during the budget process where public hearings and open discussions were held as required by law. He stated the practice has been scrutinized by KPMG as well as the rating analysts. He felt the merits as evaluated by those who understand public finance has been reassuring.

---

**5. CONSIDER APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION.**

**ACTION TAKEN:** Mr. Townsend moved to appoint Ed Hassler as Vice Chair for the remainder of his term and to appoint Jeff Wright for a term ending December 1, 2011; second by Mr. Mitchell and the motion was approved with a unanimous vote. City Secretary Pam Schmidt administered the Oath of Office to Jeff Wright and the Council expressed their appreciation for his willingness to volunteer and serve the community.

---

**PUBLIC HEARING ITEMS:**

**6. PUBLIC HEARING, ZONING FILE 11-03: A REQUEST BY THE CITY OF RICHARDSON TO REZONE A TRACT OF LAND SOUTH OF RESEARCH DRIVE, ON THE EAST SIDE OF SHILOH ROAD FROM R-1500-M TEMP TO R-1500-M RESIDENTIAL AND TO REQUEST A SPECIAL PERMIT TO ALLOW A 199-FOOT MONOPOLE ANTENNA TOWER FOR A CITY OF RICHARDSON RADIO COMMUNICATIONS TOWER.**

Mr. Keffler stated the request was for an antenna as a part of the City's overall radio replacement program and stated the City would be using property from the North Texas Municipal Water District (NTMWD). He felt it would enhance the City's radio planning for the future. He asked Sam Chavez to brief the Council.

Mr. Chavez stated the item is a City initiated request to rezone 8.1 acres of land from R-1500-M TEMP to R-1500-M Residential with a special permit for a 199 ft. radio communication tower. The site is owned by the NTMWD and is located just south of Research Drive on the east side of Shiloh Road and the Tollway. The site consists of underground storage tanks and pump stations operated by the District and the City. The proposed zoning does not place the District's facility into a nonconforming status and he stated it is highly unlikely that the site will ever be vacated by the District. He also stated that it is unlikely that the site would be developed as residential since it is surrounded by non-residential zoned and developed property. The proposed freestanding antenna tower, which is allowed by right, is for the City's new radio communication system, which will increase radio coverage for both police and fire department personnel. He stated the special permit is required to allow a 180 ft. monopole tower; allow the antenna to extend 15 ft above the top, and a waiver to the screening requirements for the monopole and associated equipment. He provided an aerial of the site and stated that staff has received no correspondence regarding the request. He reported that the City Plan Commission recommended approval with a vote of 7-0.

Mayor Slagel opened the public and the City Secretary advised there were no speakers.

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

Mayor Slagel noted that the presentation during the Work Session by Steve Graves, Chief Information Officer, wherein he advised that the location improves the radio system for police and fire communications and is a key element.

**ACTION TAKEN:** Mr. Omar moved to approve ZF 11-03; second by Mr. Solomon and the motion was approved with a unanimous vote.

---

**7. PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE NO. 3808, TO EXTEND THE MORATORIUM ADOPTED UNDER ORDINANCE NO. 3800 PURSUANT TO SECTION 212.1352 OF THE TEXAS LOCAL GOVERNMENT CODE ON COMMERCIAL PROPERTY DEVELOPMENT IN THE AREA KNOWN AS THE WEST SPRING VALLEY ROAD CORRIDOR AS DESCRIBED IN ORDINANCE NO. 3800.**

Mr. Keffler referred to the Council's strategy to review the West Spring Valley Corridor and the proposed ordinance was a continuation of the item. He reminded Council that they adopted an ordinance on December 13, 2010 establishing a 90 day commercial moratorium to enable City staff to review the prospects for new zoning and/or building development standards that would apply to the reinvestment strategy. The request is for an additional 90 day period as provided by law for the effort. He asked Monica Heid, Community Projects Manager, to brief the Council.

Ms. Heid noted the general boundary of the West Spring Valley Corridor consisting of 188 acres that stretches from Coit Road along Spring Valley to the frontage road up to Dumont Drive. It does not include any of the single family neighborhoods to the north. She explained the purpose of the moratorium and the requirements for extending the moratorium. She underscored that the moratorium applies only to commercial land development. She reviewed the findings as listed in Ordinance 3808 and reviewed the schedule. She stated the initial 90 days did not provide enough time to review existing ordinances or draft or adopt new ordinances, but progress has been made. She stated that the additional 90 days would provide for the time necessary to complete the work to protect the citizens and to preserve the quality of life. She advised that the deadline for the extension would be June 11, 2011 unless the work is completed prior to that time.

Mayor Slagel opened the public hearing and the City Secretary advised there were no speakers.

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

Mayor Slagel noted Council would be reconvening in Work Session to discuss the West Spring Valley Corridor reinvestment strategy and invited members of the audience to attend.

**ACTION TAKEN:** Mr. Macy moved approval of Ordinance No. 3808; second by Mr. Mitchell and the motion was approved with a unanimous vote.

---

ALL ITEMS LISTED UNDER ITEM 8 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

**8. CONSENT AGENDA:**

With regard to the Certificates of Obligation, Mr. Keffler noted that the items listed in the Certificates of Obligation were identified during the meetings of the budget preparation. He added that a little of 60% of the \$7.9 M would be paid through the Water and Sewer Utility Fund and the Solid Waste Fund, which means 60% of the debt is being picked up by commercial and residential rate payers. He stated that it is not an obligation of the General Fund. He stated that nearly all of the water and sewer improvements are made in this manner. He stated that a "pay as you go" method would require rate impacts on an annual basis to provide the resources needed for rehabilitation on the water and sewer system. He reiterated that it is a technique that makes a lot of sense from the stand point of being able to improve the system without burdening people with the entire costs of the improvements in one year's time.

**ACTION TAKEN:** Mr. Murphy moved to approve the Consent Agenda as presented; second by Mr. Townsend and the motion was approved with a unanimous vote.

A. Consider the following Ordinances:

1. Ordinance No. 3809 amending the Comprehensive Zoning Ordinance by amending Article I, Section 2, Definitions, by adding the definition of Rainwater Harvesting System and by adding Rainwater Harvesting System to the use regulations in Article IV R-1500-M Residential, Article IV-A R-2000-M Residential, Article IV-B R-1800-M Residential, Article VI R-1250-M Residential, Article VII R-1100-M Residential, Article VIII R-1000-M Residential, Article IX R-950-M Residential, Article XI R-850-F Residential, Article XII R-850-M Residential, Article XII-B RP-1500-M Patio Home, Article XIII D-1400-M Duplex, Article XIII-1 D-2400-M Duplex and Article XIII-2 D-3000-M Duplex.
2. Ordinance No. 3810 amending Chapter 6 of the Code of Ordinances by adding Article XII Regulating the use of Rainwater Harvesting Systems.

B. Consider the following Resolutions:

1. Resolution No. 11-07, designating certain officials as being responsible for, acting for and on behalf of the City of Richardson, hereinafter Referred to as "Applicant" in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as "Department", for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the "Program"; certifying that the "Applicant" is eligible to receive program assistance; certifying that the applicant matching share is readily available; dedicating the proposed site for permanent public park and recreational uses; and certifying that the application has been submitted to the appropriate regional Council of Governments for the Texas Review and Comment System (TRACS) Review.

2. Resolution No. 11-08, approving the terms and conditions of Amendment # 1 to the Local Transportation Project Advance Funding Agreement for Intersection Improvements on Coit Road at Beltline Road, Coit Road at Campbell Road, and Coit Road at Arapaho Road, 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.
  3. Resolution NO. 11-09, approving and authorizing publication of Notice of Intention to Issue \$7,965,000 Certificates of Obligation.
- C. Consider advertisement of the following bids:
1. Bid #26-11 – Huffhines Recreation Center alternative energy project. Bids to be received by Wednesday, March 16, 2011 at 2:00 p.m.
  2. Bid #27-11 – Park Renovation-Irrigation Systems (Berkner Park/Richland Park/Glenville Park). Bids to be received by Thursday, March 17, 2011 at 3:00 p.m.
  3. Bid #28-11 – Arborcrest Pedestrian Bridge at Prairie Creek Bridge. Bids to be received by Thursday, March 17, 2011 at 2:00 p.m.
- D. Consider award of the following bids:
1. Bid #17-11 – award to R & S Commercial Services, LP, for the Richardson Animal Shelter Canine expansion, which includes Alternate 1 for split face masonry and damp proofing and Alternate 2 for ceramic tile in Room 530 in the amount of \$82,962.20.
  2. Bid #30-11 – authorization to issue a Co-Op Purchase Order to Interspec, LLC for irrigation controllers and hydrometers for the park renovation – irrigation systems through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #292-08 pursuant to unit prices for an estimated expenditure of \$72,621.

Mayor Slagel adjourned the meeting at 8:00 p.m. and announced that Council would reconvene in Work Session in the Richardson Room at approximately 8:10 pm to be followed by the Executive Session.

  
MAYOR

ATTEST:

  
CITY SECRETARY

