

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL**  
**July 12, 2010**  
**City of Richardson, Texas**

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, July 12, 2010 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

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1. **INVOCATION**
  2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
  3. **MINUTES OF THE JUNE 28, 2010 MEETING**

ACTION TAKEN: Mr. Murphy moved approval of the minutes as presented; second by Mr. Macy and the motion was approved with a unanimous vote.

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**4. VISITORS.**

Allan Garonzik, 7190 FM 1830, Argyle, owner of property in the Spring Valley study area, listed a variety of questions, but did not speak in favor or opposed to the Spring Valley Corridor strategy. Mayor Slagel asked Mr. Garoznik to submit the questions and a response would be provided to him.

Lynne Johnston, 902-C S. Weatherred Drive, resident/owner at Shadow Lake Condominiums, requested that the Shadow Lake Condominiums not be included. She stated that things that are old are not without value and felt that Shadow Lake was not a detriment. She stated she intends to push for upgrades for the condominiums she lives in.

Andrew Laska, 502 Hyde Park, noted that the presentation was a means to a vision and stated that the residents are in it for the long haul. He requested that the vision include things that have not been done before. He advised that the residents were not in favor of a limited service

hotel, requested that TIF funds be escrowed for the Corridor area, and was in agreement with changing the codes and ordinances. He stated the big idea is something that everyone can buy into, fundamentally changes the corridor and sets it apart from other areas.

Richard Tanner, 401 Ridgehaven, Attorney present on behalf of EA McDowell, complimented the Council and staff for the Wildflower event, for the water/drainage system, for the 4<sup>th</sup> of July Celebration, and congratulated Mr. Keffler and Mr. Hoppe on their appointments. Mr. Tanner referred to a letter he submitted the previous Friday afternoon that was not part of the agenda. He reminded the Council that a Special meeting could be requested to address what his client felt were Charter violations regarding issuance of bond debt. He asked the City Council to set aside the ordinances approved regarding the issuance of bonds and call an election to allow the citizens to vote on the bonds. He also stated that the City Manager is required to file a budget that should be honest and complete with all of the obligations disclosed. He felt that the City was also in violation of Charter Section 11.11 requiring an audit. Lastly he stated that if representatives of the City of Richardson find it difficult or impossible to follow the Charter, then they may need to resign their position.

Mr. Keffler stated the letter referred to has not been seen by the Mayor and Council because it was received late Friday afternoon. He stated that Ordinances 3776, 3777 and 3778 as well as the annual audit have all been actions taken that are consistent with State law and the City Charter, and have been reviewed by the City Attorney as well as bond counsel of Fulbright and Jawroski, with counsel being comfortable with the actions taken. He stated review would continue and that any action that Council needs to consider would be brought forward, if any.

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**5. PUBLIC HEARING, ZONING FILE 10-09: A REQUEST BY BILL PEAVY, REPRESENTING CLOUDLOFT INVESTMENTS, TO AMEND THE O-M OFFICE ZONING ON A PROPERTY LOCATED ON THE NORTH SIDE OF CAMPBELL ROAD, WEST OF WATERVIEW PARKWAY. THE PROPERTY IS CURRENTLY ZONED O-M OFFICE.** *(Postponed from June 28, 2010) (July 12 meeting, applicant has requested indefinite continuation pending final FEMA determinations).*

Mr. Keffler advised that the applicant has requested an indefinite continuance to obtain the final FEMA update prior to Council hearing the case. The case would not need to be heard again by the Plan Commission and would be advertised for Council consideration at the appropriate time. He stated the City is moving forward to assess and correct any drainage issues identified in earlier correspondence.

Mayor Slagel opened the public hearing and invited speakers to the podium.

Robert Hutsler, 1092 Edith, thanked the Council for reviewing the flood plain problems. He advised that he is gathering petition signatures requesting a moratorium for development because of two issues: flooding and curb cuts.

Donna Clarkin, 2101 Waterview Parkway, Director of ITT Technical Institute, spoke opposed to the request stating the curb cut would create a safety hazard, increase traffic, and the design of the property would be inconsistent with the remainder of the office development.

**ACTION TAKEN:** Mr. Solomon moved to accept the applicants request to delay the item indefinitely; second by Mr. Macy and the motion was approved with a unanimous vote.

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**6. VARIANCE 10-02: A REQUEST FOR APPROVAL OF VARIANCE FROM ARTICLE III, SECTION 21-47(A) SCREENING AND OPEN SPACE, OF CHAPTER 21 OF THE CITY OF RICHARDSON CODE OF ORDINANCES FOR A 5.8-ACRE SITE LOCATED AT 891 ABRAMS ROAD; SOUTHWEST CORNER OF CENTENNIAL BOULEVARD AND ABRAMS ROAD.**

Mr. Keffler stated the variance is a request from Christian World regarding a screening exemption and asked Sam Chavez, Asst. Director of Development Services to brief the Council.

Mr. Chavez stated the request is for a variance from the Subdivision and Development Ordinance. He stated that the ordinance requires screening to be erected whenever parking is adjacent to residential property. He explained that the site received a variance in 1989 to allow vegetative screening and in 1999 the Church purchased the undeveloped property adjacent to the Church. As part of the development on the site, the applicant intends to enclose an area in the front and to construct parking to accommodate the additional square footage. In doing so, the ordinance requires them to screen the adjacent parking area. The residential property includes a screening wall along the west property line and therefore, the applicant is requesting that the screening wall suffice for screening for the additional parking. He advised that the Plan Commission unanimously approved the applicant's request with the stipulation that should the vacant piece of property develop as residential, that the alternate screening be erected.

Mayor Slagel offered an opportunity for the applicant to address the Council and the applicant declined stating he did not have a presentation but was available to answer questions.

**ACTION TAKEN:** Mr. Townsend moved approval of VAR 10-02 with the special conditions; second by Mr. Mitchell and the motion was approved with a unanimous vote.

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ALL ITEMS LISTED UNDER ITEM 7 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:

**7. CONSENT AGENDA:**

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

**A. Receive from the City Plan Commission:**

1. Amending Plat for Bridgewater Crossing, Phase I.
2. Replat Lots 4D and 8 of the Richardson Square Addition, being a Replat of Lot 4C of the Richardson Square Addition.

**B. Authorize advertisement of competitive sealed proposal #902-10 – approval of plans and contract documents for the 2010 Lockwood Tank Upgrade and Rehabilitation. Competitive Sealed proposals to be received by Wednesday, August 4, 2010 at 2:00 p.m.**

C. Approve award of the following bids:

1. Bid #37-10 – award to CJA Enterprises, LLP, Congress Materials, LLP and Neese Materials, Inc. for the annual requirements contract – sand, soil & rock pursuant to unit prices.
2. Bid #49-10 – authorization to issue an annual requirements contract through Tarrant County to Mansfield Oil company for an annual requirements contract for Fleet Fuel Card & Management Services pursuant to unit prices of the Oil Price Information Service average price plus \$0.155/gallon for unleaded gasoline and plus \$0.18/gallon for diesel fuel.

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**8. RECEIVE SIGN CONTROL BOARD MINUTES OF THE JULY 7, 2010, MEETING.**

Mayor Slagel stated Council could approve the minutes or could request to hear the case.

ACTION TAKEN: Mr. Townsend moved to receive the minutes; second by Mr. Omar and the motion was approved with a unanimous vote.


Mayor Slagel recessed the meeting at 9:30 p.m. and announced that the Council would convene in Executive Session as listed below.

**EXECUTIVE SESSION**

- In compliance with Section 551.072 of the Texas Government Code Council convened into a closed session at 9:35 p.m. to discuss the following:
  - Deliberation Regarding Real Property
    - Property Considerations in the Plano Road Area Between Arapaho Road and Beltline Road
- Council reconvened into open session at 11:00 p.m. to take action, if any, on matters discussed in executive session.

ACTION TAKEN: None

Mayor Slagel adjourned the meeting at 11:00 p.m.

  
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MAYOR PRO TEM

ATTEST:

  
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CITY SECRETARY