

City Council Work Session Handouts
(Amended)

November 26, 2012

- I. Discussion of Zoning File 12-17
- II. Discussion of Zoning File 12-18
- III. Briefing by City Attorney on the City Charter Changes
- IV. Review and Discuss the May 2013 Election Calendar
- V. Review and Discuss the Year-End Financial Report for the FY 2011-2012 Operating Budget

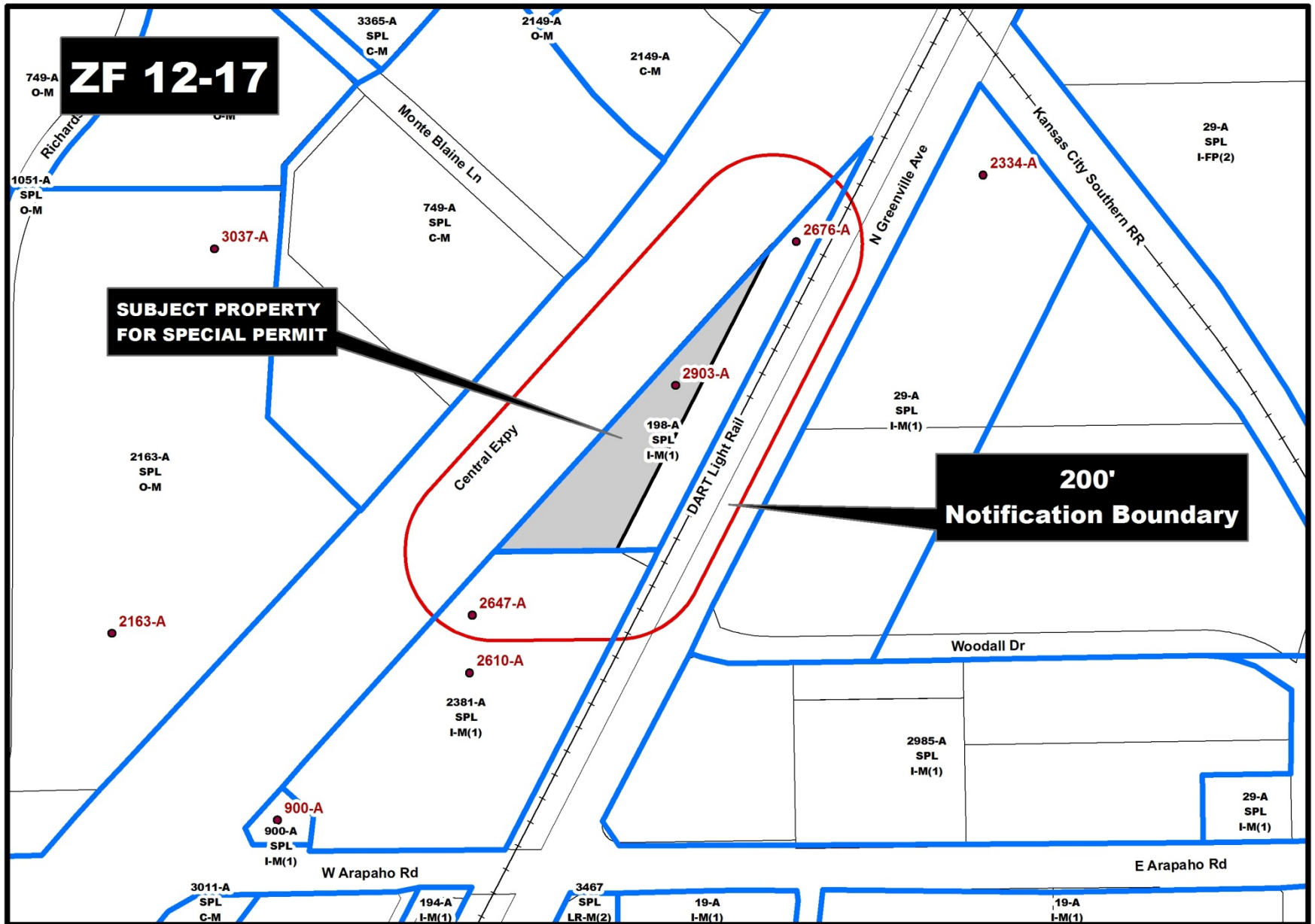
City Council Worksession



November 26, 2012

Meeting Begins at 6:00 P.M.

ZF 12-17



ZF 12-17 Notification Map

Updated By: shacklett, Update Date: October 16, 2012
 File: DSMMapping\Cases\Z\2012\ZF1217\ZF1217 notification.mxd

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 12-17

**SUBJECT PROPERTY
FOR SPECIAL PERMIT**

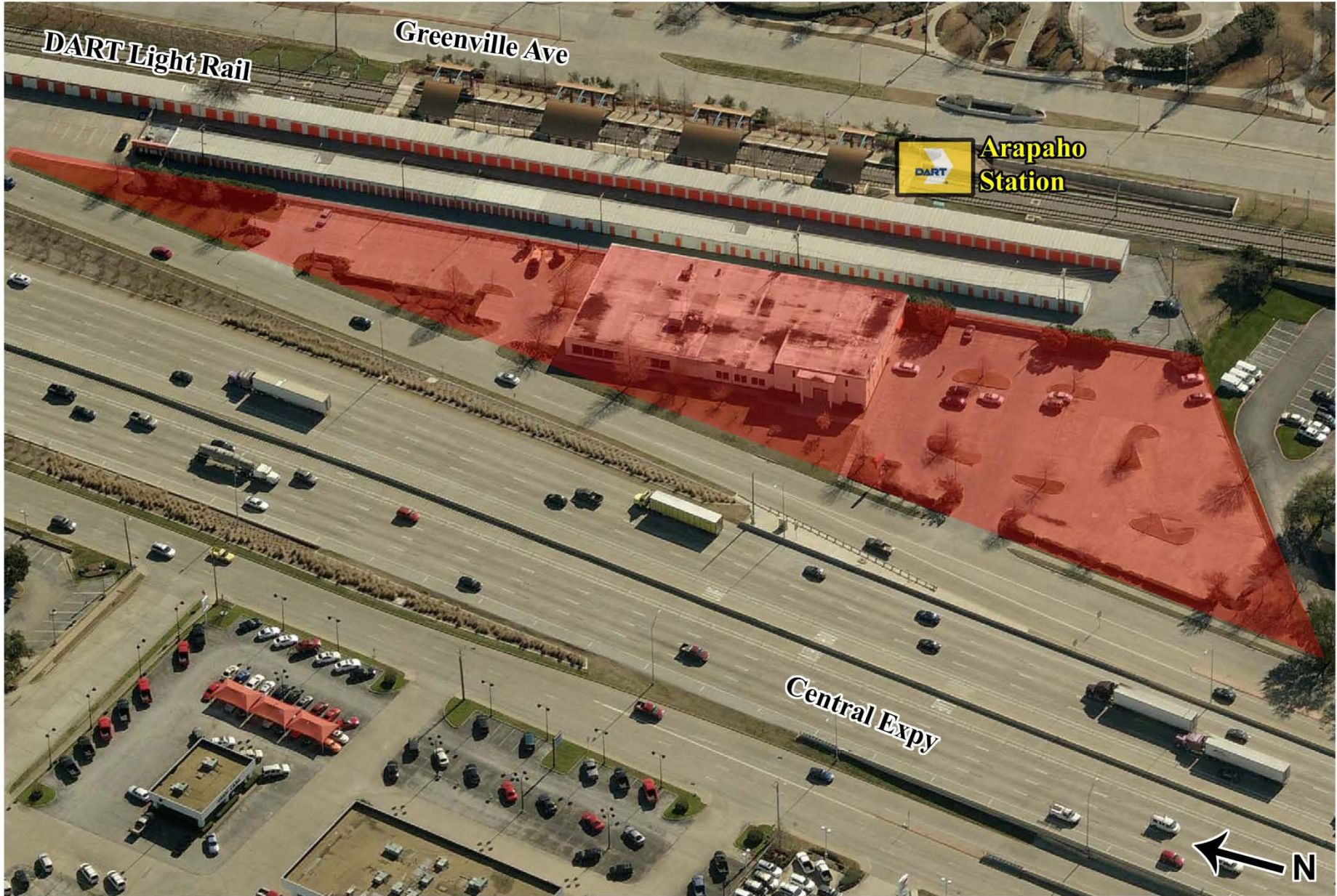


ZF 12-17 Aerial Map

Updated By: shacklette, Update Date: October 16, 2012
File: DSMMapping\Cases\Z\2012\ZF1217\ZF1217_ortho.mxd

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DART Light Rail

Greenville Ave



Arapaho Station

Central Expy

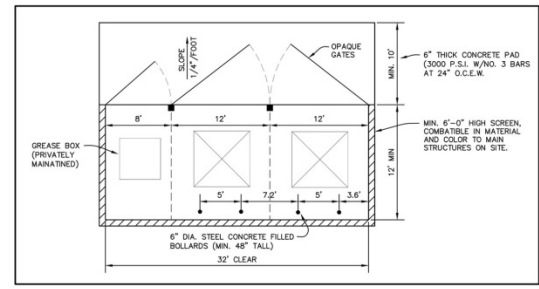
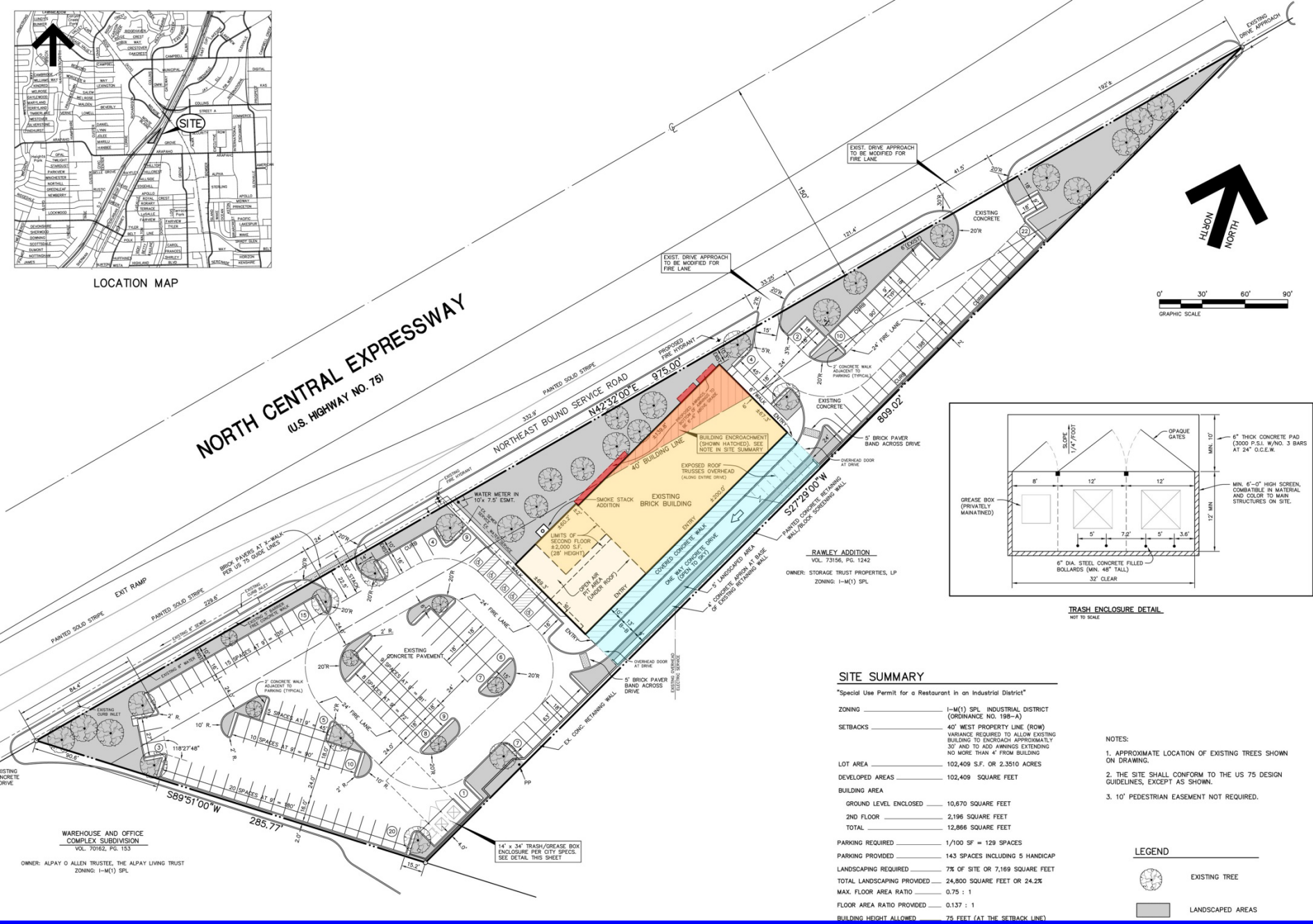




LOCATION MAP

NORTH CENTRAL EXPRESSWAY
 (U.S. HIGHWAY NO. 75)

NORTHEAST BOUND SERVICE ROAD
 N42°32'00" E 975.00'



TRASH ENCLOSURE DETAIL
 NOT TO SCALE

SITE SUMMARY

"Special Use Permit for a Restaurant in an Industrial District"

ZONING	1-M(1) SPL INDUSTRIAL DISTRICT (ORDINANCE NO. 198-A)
SETBACKS	40' WEST PROPERTY LINE (ROW) VARIANCE REQUIRED TO ALLOW EXISTING BUILDING TO ENCRoACH APPROXIMATELY 30' AND TO ADD AWNINGS EXTENDING NO MORE THAN 4' FROM BUILDING
LOT AREA	102,409 S.F. OR 2.3510 ACRES
DEVELOPED AREAS	102,409 SQUARE FEET
BUILDING AREA	
GROUND LEVEL ENCLOSED	10,670 SQUARE FEET
2ND FLOOR	2,196 SQUARE FEET
TOTAL	12,866 SQUARE FEET
PARKING REQUIRED	1/100 SF = 129 SPACES
PARKING PROVIDED	143 SPACES INCLUDING 5 HANDICAP
LANDSCAPING REQUIRED	7% OF SITE OR 7,169 SQUARE FEET
TOTAL LANDSCAPING PROVIDED	24,800 SQUARE FEET OR 24.2%
MAX. FLOOR AREA RATIO	0.75 : 1
FLOOR AREA RATIO PROVIDED	0.137 : 1
BUILDING HEIGHT ALLOWED	75 FEET (AT THE SETBACK LINE)

NOTES:

- APPROXIMATE LOCATION OF EXISTING TREES SHOWN ON DRAWING.
- THE SITE SHALL CONFORM TO THE US 75 DESIGN GUIDELINES, EXCEPT AS SHOWN.
- 10' PEDESTRIAN EASEMENT NOT REQUIRED.

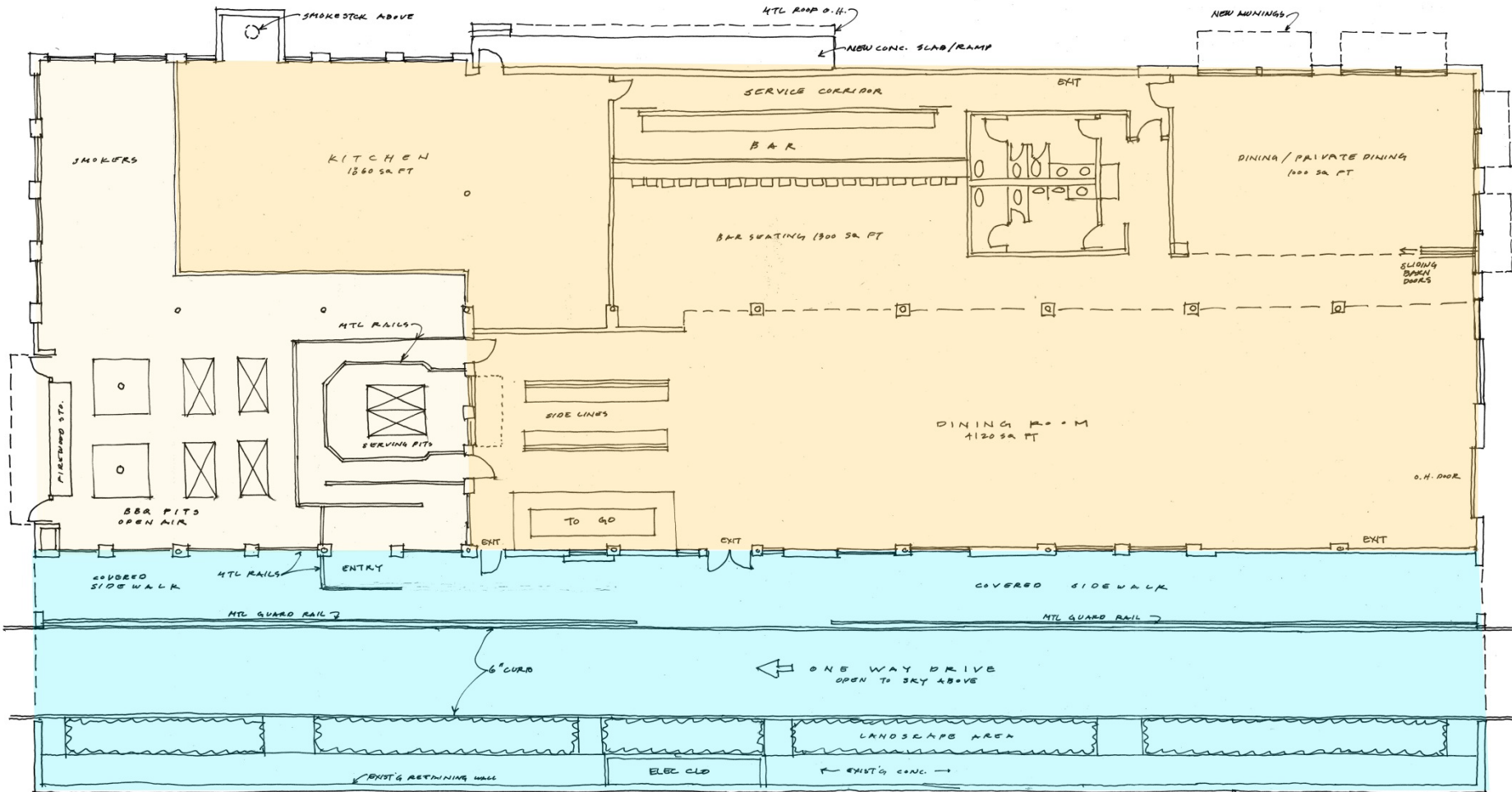
LEGEND



WAREHOUSE AND OFFICE COMPLEX SUBDIVISION
 VOL. 70162, PG. 153

OWNER: ALPAY O ALLEN TRUSTEE, THE ALPAY LIVING TRUST
 ZONING: 1-M(1) SPL

Zoning Exhibit



CENTRAL BARDEAUX 10/15/12
 RICHARDSON, TEXAS 1/8" = 1'-0"
 TURTLE CREEK RESTAURANTS
 TABAK DESIGN GROUP LLC ARCHITECTS

Floor Plan



NORTH ELEVATION



SOUTH ELEVATION

North & South Elevations



East (Interior Wall) & West Elevations

**Looking South at
North Elevation**





North Parking Lot

**Looking South
along West
Elevation**



ENTRANCE
ON
SOUTH SIDE

**Looking North along
West Elevation**



Looking Northeast at West Elevation



Looking North at South Elevation

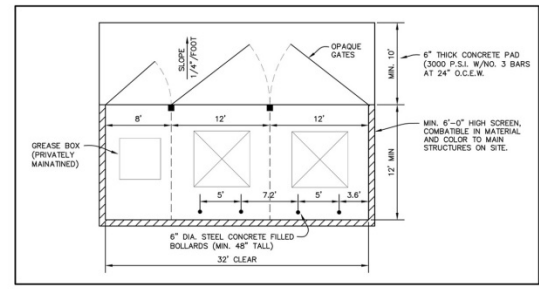
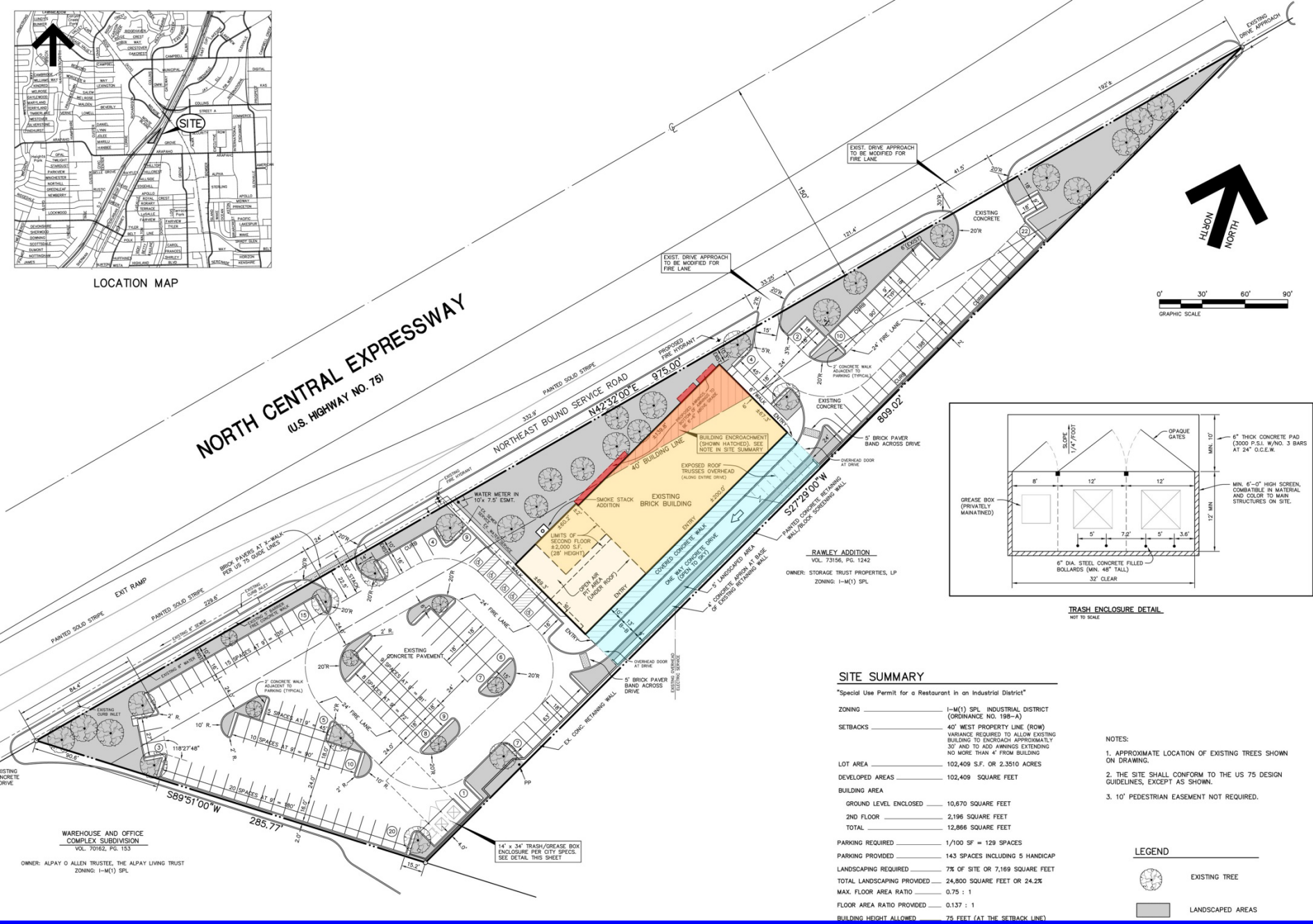




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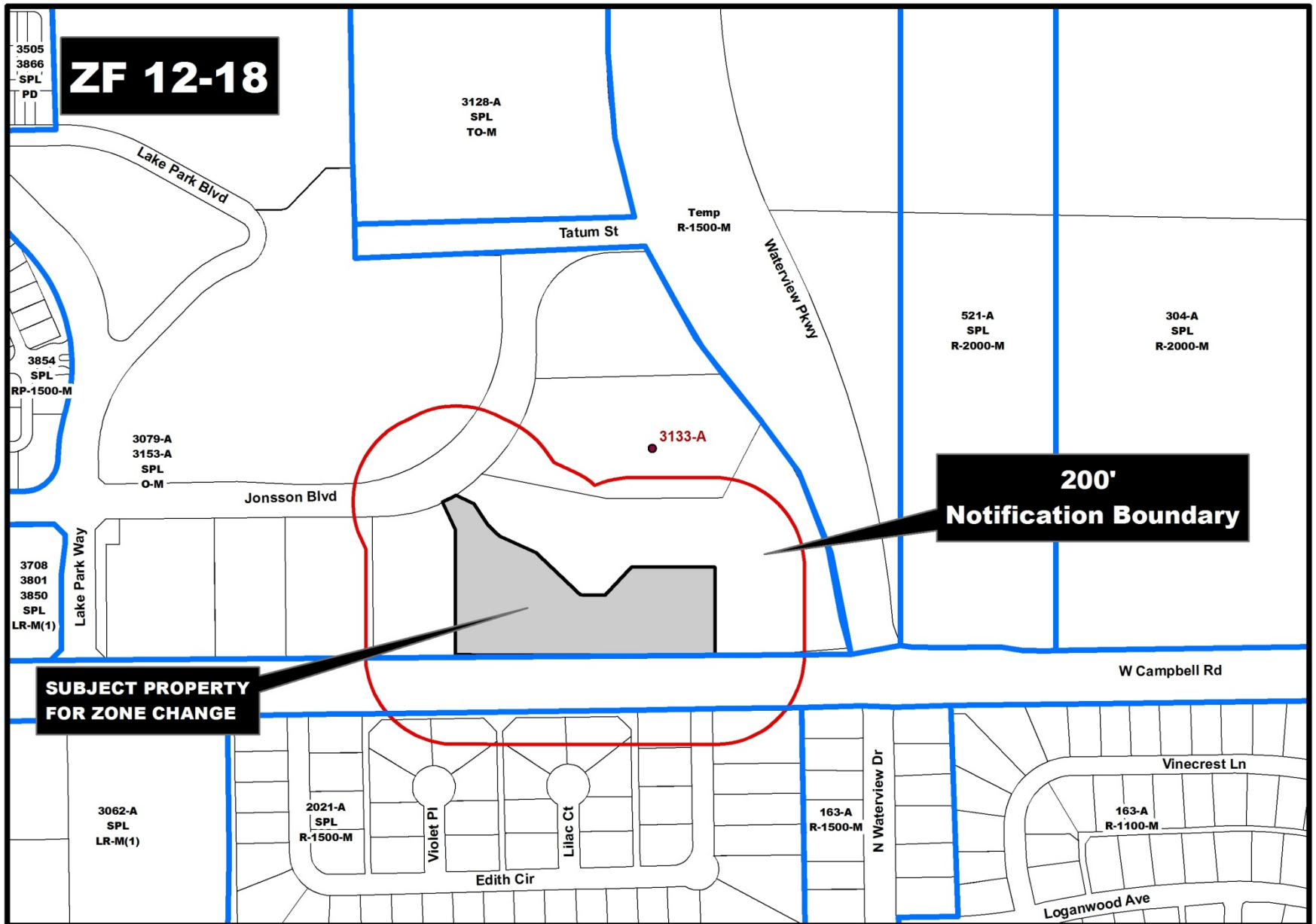
- EXISTING TREE
- LANDSCAPED AREAS

WAREHOUSE AND OFFICE COMPLEX SUBDIVISION
 VOL. 70162, PG. 153

OWNER: ALPAY O ALLEN TRUSTEE, THE ALPAY LIVING TRUST
 ZONING: 1-M(1) SPL

Zoning Exhibit

ZF 12-18



ZF 12-18 Notification Map

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ZF 12-18



**SUBJECT PROPERTY
FOR ZONE CHANGE**

ZF 12-18 Aerial Map

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JONSSON
BLVD.

SCREENED DUMPSTER
W/ 42' UNINTERRUPTED
BACK UP SPACE

EX BUILDING

3079-A
SFL
O-M ZONING

EX. RETENTION POND
100 YR. FLOODPLAIN
PER LOMR BY HALL, 1999

EX. RETENTION POND

653 ELEVATION CONTOUR
PER TOPO SURVEY BY
C4P ENGINEERING, 2010

EX. CONC. OUTFALL

3079-A
SFL
O-M ZONING

BUILDING (A)
5900#
90#porches

BUILDING (C)
5900#
90#porches

BUILDING (D)
5900#
90#porches

BUILDING (E)
5900#
90#porches

BUILDING (B)
5900#
90#porches

Reduced
Rear Setback

Reduced
Side Setback

VACANT
3079-A
SFL
O-M ZONING

PROPOSED 10' PEDESTRIAN WALK EASEMENT

1000 WEST CAMPBELL ROAD

PROP. DECELERATION LANE

200'-0"

STORAGE

210'-6"

THROAT

125'-0"

TRANSITION

Driveway

NEW HOODED TURN LEFT LANE

10179 CIR

NOTE: FINAL TRAFFIC DESIGN TO BE APPROVED AT TIME OF CONSTRUCTION PLANS

2021-A

2021-A

Zoning Exhibit



FRONT ELEVATION



REAR ELEVATION

Front & Rear Elevations (Presented at 11-06-2012 CPC Meeting



RIGHT ELEVATION



LEFT ELEVATION

Side Elevations (Presented at 11-06-2012 CPC Meeting



Watercolor Rendering of Previous Elevations



Watercolor Rendering of Revised Elevations

Proposed Site Looking North at Jonsson



Proposed Site Looking West



**Proposed Site
Looking East along Campbell**



**Proposed Site
Looking South at Edith Circle**



**Proposed Site
Looking South along Campbell**



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BLVD.

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Reduced
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Reduced
Side Setback

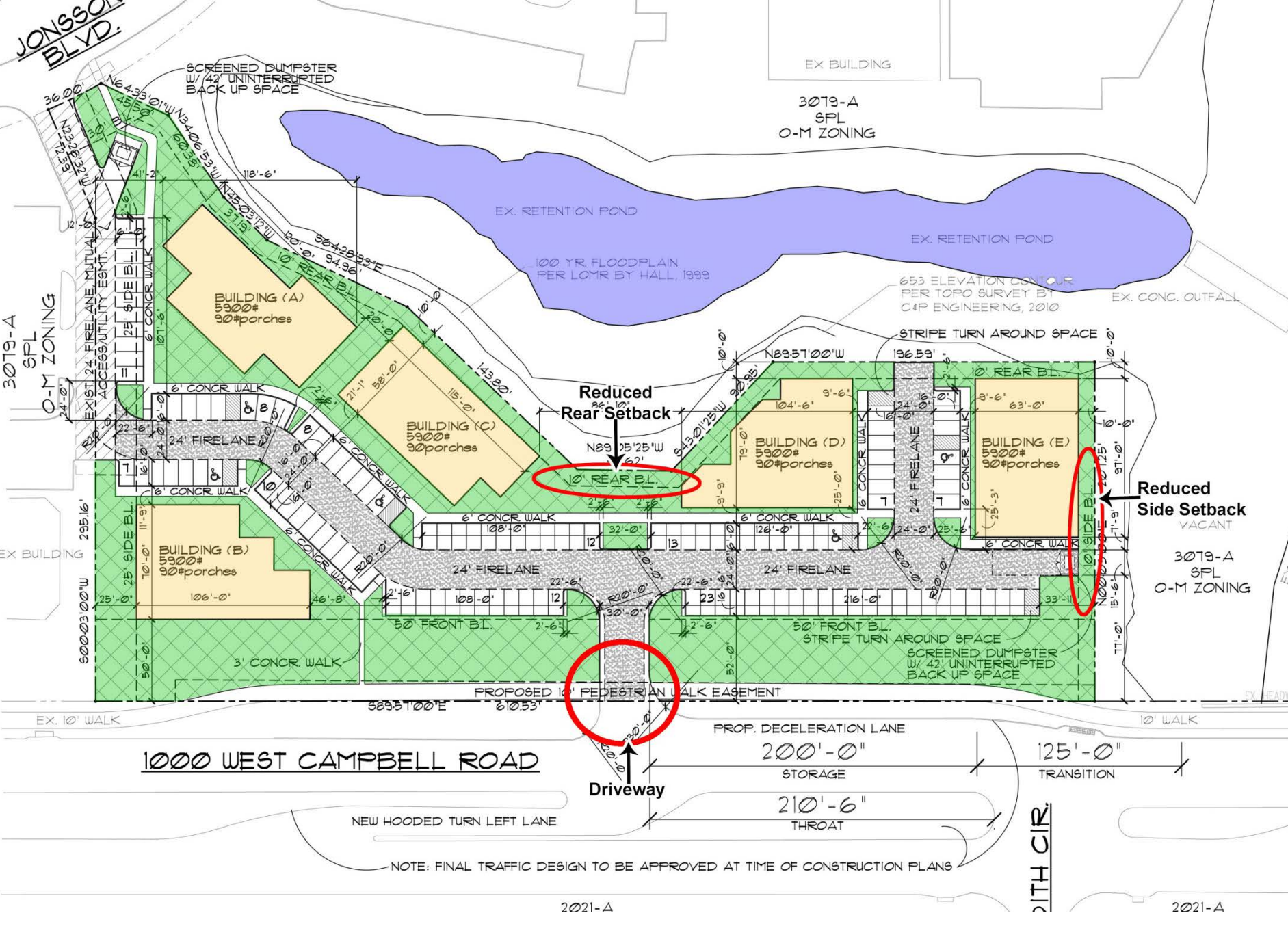
VACANT
3079-A
SFL
O-M ZONING

Driveway

NOTE: FINAL TRAFFIC DESIGN TO BE APPROVED AT TIME OF CONSTRUCTION PLANS

2021-A

2021-A



Charter Amendments



Peter G. Smith

Nichols, Jackson, Dillard, Hager & Smith



OVERVIEW

- **City Council and City Manager requested a report regarding the amendments to the Charter.**
- **A report is timely now that City Council has adopted the amendments to the Charter.**
- **This is a general discussion. A written report with more detail is available for the public tonight.**

**Nichols, Jackson, Dillard
Hager & Smith L.L.P.**

a registered limited liability partnership



Background

- **Special election was called by the City Council as the result of a petition submitted and signed by the required number of registered voters requesting proposed amendments to the Charter.**
- **State law authorizes the registered voters of the City to submit a petition to require an election on proposed amendments to the Charter.**



Background

- **City Council had no discretion and was required to call a special election if the petition was signed by the requisite number of registered voters.**

- **City Council could not modify the amendments submitted by the petitioners – good, bad or conflicting.**



Background

- **City Council and staff refrained from comment regarding the effect of the amendments prior to the election to avoid such comments being construed as: (i) an official interpretation, which would have been premature; or (ii) advocating the defeat or passage of the proposed amendments.**



Background

- In determining the effect, the City should consider the literal language of the Charter, as amended; the context of the language; and the Charter as a whole.
- Although, the intent of the petitioners is unknown, a reading of the petition indicates that the amendments were only intended to change the manner of election of the Mayor.

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Background

- Thus, it can be reasonably concluded that the amendments were intended to only change the manner of how the Mayor is elected and that no other substantive changes were intended.

- That is why one proposition was submitted to the voters at the special election.



Challenges

- **Legal challenge to the amendments (other than an election contest under the Election Code) will require an actual controversy.**
- **Generally, state law requires a controversy to be ripe for adjudication.**
- **Courts will refrain from providing an advisory opinion in the absence of an actual controversy.**



Summary of Changes

- **Amendments effective now.**
- **Mayor is elected directly by the voters beginning with the May 2013 election.**
- **Composition of the City Council has changed from (7) council members to six (6) members and a mayor.**

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Hager & Smith L.L.P.**

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Council Composition

- **Section 3.01 was amended to state “all powers conferred on the City shall be exercised by a City Council to be composed of ~~seven (7) members~~ six members and a Mayor....”**

- **As a result:**



Confusing terms and phrases

- **“members of the City Council” means the Mayor and the six members, unless the context means otherwise.**
- **“council member” or “council members” means the six member(s) of the City Council, excluding the Mayor, unless the context means otherwise.**



Confusing terms and phrases

- **“member” or “members” means member(s) of the City Council excluding the Mayor, unless the text means otherwise.**
- **“city council” or “council” means and includes the Mayor and six members, unless the context means otherwise.**



Place Assignments

- **Beginning with May 2013 election, the Mayor is assigned place 7.**
- **Six members of the city council are assigned places 1-6.**
- **Person elected to place 7 in the May 2013 election will be the Mayor.**
- **Persons elected to places 1-6 in the May 2013 election will be the six members.**



District Residency Unchanged

- **Persons elected to places 1- 4 must reside in the corresponding numbered districts.**
- **Persons elected to places 5 and 6 may reside in any district.**
- **Person elected to place 7, the Mayor position, may reside in any district.**



Mayor

- Mayor is entitled to vote on all matters before the City Council including the budget.
- Mayor is required to vote on matters coming before the City Council except on matters involving the Mayor's own misconduct, when there is a financial interest, or when disqualified by law.
- Mayor may vote to fill a vacancy on the City Council.



Mayor

- Mayor may still be removed from office for misconduct by 2/3 vote of entire City Council.
- Since Mayor no longer appointed by the City Council, the amendment to Section 3.02 to delete ~~“subject to removal as mayor at anytime by a vote of two-thirds of the total membership of the council”~~ was appropriate.



Mayor

- Mayor (along with the six members) is still prohibited from being appointed as the city manager.
- Mayor (like the six members) may still be compelled to attend meetings.



Vacancy in office of Mayor

- **Vacancy in the office of Mayor now filled by the Mayor Pro Tem.**
- **Office of Mayor Pro Tem, and the council seat/place held by the person who was Mayor Pro Tem, then becomes vacant.**
- **Vacancy in the office of Mayor Pro Tem is and the council seat/place filled by appointment by majority vote of remaining members and Mayor.**

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Qualifications to hold Office

- **Qualifications to hold office of Mayor or to hold office as one of the six members have not changed.**

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Quorum

- Quorum has not changed.
- Quorum is the minimum number of members of the City Council that must be present to conduct a meeting and take action. (“5 members” under Charter).
- Normally quorum is majority of the City Council unless Charter provides otherwise.



Quorum

- **As result of amendments to Section 3.01 making a distinction between the Mayor and six members, it can be argued that the Mayor is not counted toward a quorum.**
- **If that interpretation is correct - at least 5 of the 6 members, excluding the Mayor, must be present to conduct a meeting and transact business.**



Quorum

- That interpretation is faulty given that the amendments were only intended to change the manner of election of the Mayor...

Quorum should be considered 5 of any of the Mayor and the six members, until a court or other competent authority determines otherwise.



Vote Required for Passage

- **Vote required for passage of a resolution or ordinance has not changed.**
- ***Section 3.12 provides ... every ordinance or resolution shall require for passage the affirmative vote of a majority of the members present.***



Votes Required for Passage

- Since a quorum under Section 3.11 is 5 members the affirmative vote of at least 3 members present is required for passage of an ordinance or resolution when only a bare quorum is present.
- It may be argued, as result of the amendments, that the phrase “members present” means the six members excluding the Mayor and that the vote of the Mayor may not be included in the minimum number of votes required for passage of an ordinance or resolution.



Votes Required for Passage

- However, since Section 3.02 provides that the Mayor “shall vote on all matters coming before the council”, reading Section 3.12 to exclude the vote of the Mayor in the determining the minimum number of votes required for passage of an ordinance or resolution would be inconsistent with or contrary to Section 3.02.



Votes Required for Passage

- Since the Charter, as amended, should be construed to be internally consistent whenever possible and give meaning and effect to all provisions of the Charter, Section 3.12 must be read to mean that the vote of the Mayor may be counted in the required number of votes required for passage of an ordinance or resolution.
- If it were otherwise, Section 3.12, which was not amended, would contradict Section 3.02.



Questions and Answers

**Nichols, Jackson, Dillard
Hager & Smith L.L.P.**

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MEMO

FOR: Mayor and City Council
FROM: City Attorney, Peter G. Smith
DATE: November 26, 2012
SUBJECT: *Report on Home Rule Charter Amendments*

1. Purpose. Pursuant to the request of the City Manager we provide this report regarding the Home Rule Charter following the adoption of the amendments that were approved by the voters at the special election held on November 6, 2012.
2. Timely. This report is timely now that the amendments have been adopted by the City Council. This report is intended to be informational for the public and serve as guidance for the City.
3. Background. A special election was called by the City Council as the result of a petition signed by the required number of registered voters under state law. The petition requested the proposed amendments contained in the petition be submitted to the voters.
 - State law authorizes registered voters of the City to submit a petition to the City Council to call an election for voters to consider proposed amendments to the Charter.
 - City Council was required to call the special election if the petition was signed by the requisite number of registered voters.
 - City Council did not have any discretion.
 - City Council could not reject, clarify or modify the amendments submitted by the petitioners.
 - City Council and City staff refrained from comment regarding the effect of the proposed amendments to avoid such comments being construed as: (i) an official interpretation which would have been premature; or (ii) advocating the defeat or passage of the proposed amendments.
4. Report Summary. The substance of the Charter has not changed as a result of the special election except with the manner of election of the Mayor.
5. Interpretation. In determining the effect of the amendments to the Charter, the City should consider the literal language of the Charter, as amended, the context of the language of the Charter, as amended, the Charter as a whole and the intent of the petitioners. The petition that was circulated indicates that the proposed amendments were intended to change the manner of election of the Mayor. Thus, it is reasonable to conclude that no other substantive change to the Charter was intended by the petitioners except to provide for the direction election of the Mayor. That is why one proposition appeared on the ballot submitted to the voters at the special election. Although, the amendments may have changed certain terms and phrases and may have caused confusion or misunderstandings, such amendments should be read as changing the

Charter only relating to the manner of the election of the Mayor to provide for the direct election of the Mayor by the voters.

6. Challenges to the Charter. Any challenges to the Charter, as amended (other than an election contest under the Election Code) should require an actual controversy to exist; otherwise, such challenge is not ripe for adjudication. Generally, state law requires a controversy to be ripe for adjudication, and the courts will refrain from providing an advisory opinion in the absence of an actual controversy.
7. Summary of the Changes: This is a general summary of the changes. It is not intended as the exclusive interpretation of the Charter. Each time an issue or question is raised, the applicable provisions of the Charter must be reviewed. The amendments changed some terms and phrases in the Charter which in the given context could be subject to varying interpretations. Until a court or other competent authority renders any decisions or opinions, this report is intended to provide general guidance.

- Amendments are effective now.
- Mayor is directly elected by the voters beginning with the May 2013 election.
- Composition.
The composition of the city council has changed from (7) council members to six members and a mayor.
- Key Phrases or terms.
- Amendments may have caused confusion or misunderstanding.
Some of the amendments may have caused confusion regarding the interpretation of various sections of the Charter in the reference to the terms or phrases. Under the Charter the term or phrase “city council” or “council” means and includes the mayor and six members, unless the context means otherwise. The phrase or term “member” or “members” means one or more members of the city council excluding the Mayor, unless the text means otherwise. The phrase “members of the city council” means the Mayor and the six members, unless the context means otherwise. The phrase “council member” or “council members” means the six members of the city council excluding the Mayor, unless the context means otherwise. Terms and phrases should be construed based on the intent of the amendments to change the manner of election of the Mayor, the context of the usage and in relation to other provisions of the Charter. Regardless of the amendments or any inconsistency, the governing body of Richardson sometimes referred to as the “city council” or “council” means the entire governing body (the entire city council”) consisting of a Mayor and six members.
- Place Assignments.
Beginning with the May 2013 election the Mayor is assigned place 7. Members of the city council are assigned places 1-6. The person elected to place 7 in the May 2013 election will be the Mayor. Persons elected to places 1-6 in the May 2013 election will be the six members.
- Requirement to reside in Council Districts remains unchanged.
Although the council district boundaries have been recently adjusted the persons elected to places 1-4 must reside in the corresponding numbered districts, persons elected to places 5 and 6 may reside in any district, and the person elected to place 7, the Mayor position, may reside in any district.

- Mayor is entitled to vote.
The Mayor is entitled to vote on all matters that come before the city council. Section 3.02, as amended, did not alter or amend the prior language of Section 3.02, which provides that the Mayor votes on all matters that come before the council.
- Mayor required to Vote on all matters coming before the Council.
The Mayor is required to vote on matters coming before the council, except on matters involving the Mayor's own misconduct, or when there is a financial interest or when disqualified by law. Section 3.12 (which was not amended) provides the "yes and no votes shall be taken on the passage of all ordinances or resolution and entered in the minutes of the proceeding of the council and ... that no member should be excused from voting except on matters involving the consideration of the member's own misconduct, or when there is a financial interest or disqualified by law." In this context "member" should mean the Mayor and the six members since Section 3.02 states that the Mayor shall vote on all matters before the city council.
- Mayor may vote to fill a vacancy on the council.
Section 3.07 was amended only to change the title from "Vacancies" to "Councilmember Vacancies", but did not change the text of the Section. The literal language of the Section should control and not the title of the Section. Section 3.07 states that the vacancy shall be filled by majority vote of the remaining members of the council. However, Section 3.07 was not amended to change the phrase "remaining members of the council" to "remaining members" and Section 3.02 states that the Mayor shall vote on all matters before the council. In this context, the "council" means and includes the Mayor and the six members, and "the remaining members of the council" means and includes the Mayor and any of the six members remaining. Thus, the Mayor may vote to fill a vacancy on the council.
- Mayor may vote on the budget.
There may be confusion or misunderstanding that the Mayor may not vote on the budget since Section 11.05 (which provides "After public hearing, the council shall analyze the budget, making any additions or deletions which they feel appropriate, and shall, by ordinance, adopt the budget by a majority vote of all members of the council."), was not amended and contains the original reference to "members of the council." This may be argued as an unintended result as Section 11.05 indicates that the "council" (which means and includes the Mayor and six council members) shall analyze the budget, making any additions or deletions which they feel appropriate and adopt the budget by ordinance; however, the ordinance is approved by a majority of all members of the council which under the amendments, it may be argued means the six members other than the Mayor. However, given the intent of the amendments, in this context, all members of the city council would include the Mayor. The phrase "city council" or "council" means, regardless of the amendments, the mayor and the six members. In addition, Section 3.02 states the Mayor votes on all matters before the council. Thus, in reading Section 11.05 in relation to other Sections of the Charter, the six members and the Mayor participate in, and vote on the budget.

- Mayor is prohibited from being appointed as the city manager.
The Mayor and the six members are prohibited during their respective term of office, and for a period of one year thereafter, from being appointed city manager. Section 6.02, which was not amended, provides that no member of the council shall, during the time for which elected, and one (1) year thereafter, be chosen as city manager. Given the intent of the amendments to change the manner of election of the Mayor only, the phrase “no member of the council” in this context means and includes the Mayor and the six members of the council. This is true also because Section 6.02 was not amended to change the phrase “no member of the council” to “no member” or to “no council member”. In addition, the common law doctrine of “incompatibility” prohibits a member of the governing body from being appointed as city manager at anytime during their term of office.
- Mayor may be removed for misconduct.
Section 3.02 was amended to remove the last phrase regarding the removal of the Mayor at any time by a 2/3 vote of the total membership of the council. However, under Section 3.06, the Mayor may be removed for misconduct. An argument can be made that removal under Section 3.06 does not include the Mayor since the reference in Section 3.06 is to “any member of the council”; however, “city council” or “council,” regardless of the amendments, means and includes the Mayor and six members. Moreover, Section 3.06 was not amended to change the phrase “any member of the city council” to “member” or “council member”. Given the intent of the amendments to only change the manner of election of the Mayor, the Mayor is subject to removal under Section 3.06. Moreover, the removal of the last phrase from Section 3.02 described above was appropriate since the Mayor is no longer appointed by the City Council.
- Mayor may be compelled to attend meetings.
Under the last sentence of Section 3.12, which was not amended, the council may punish its members for misconduct and compel the attendance of absent members. An argument can be made that the council may not compel the attendance of an absent Mayor since the last sentence of Section 3.12 refers to “absent members”; however, given the intent of the amendments to only change the manner of election of the Mayor, and because “council,” regardless of the amendments means and includes the Mayor and six members, in this context, “absent members” should include the Mayor.
- Vacancy in the office of Mayor is now filled by the Mayor Pro Tem.
Section 3.03 was amended to add the sentences “Upon a vacancy in the Mayor’s position, the Mayor Pro Tem shall fill the unexpired term. The Mayor Pro Tem’s council position then becomes vacant”. Section 3.03, as amended, provides that a vacancy in the office of Mayor is now filled by the Mayor Pro Tem, rather than by the procedure set forth in Section 3.07. The position of the Mayor Pro Tem (and whatever place on the council held by the Mayor Pro Tem) then becomes vacant, which is in turn then filled by appointment by majority vote of the remaining members of the council. This means that the place position of the Mayor Pro Tem becomes vacant and the Mayor Pro Tem assumes the unexpired term of office for place 7. There may be a misunderstanding that Section 3.03 prior to its

amendment governed a vacancy in the office of Mayor and thus a conflict exists between Section 3.03, as amended and Section 3.07. The description of the duties of the Mayor Pro Tem in Section 3.03, including the duty to temporarily perform the duties of the Mayor during the temporary absence of the Mayor (e.g. Mayor is absent from a city council meeting or ground breaking) has nothing to do with a vacancy in the office of the Mayor.

- Quorum of the City Council has not changed.

There may be confusion or a misunderstanding that the quorum of the city council has changed. By the amendments to Section 3.01 making a distinction between the Mayor and six members, it can be argued that the Mayor is not counted toward a quorum. A quorum of a governing body is a majority of the entire membership unless the charter provides otherwise. Section 3.11, which was not amended, provides that a quorum shall consist of five members, except where the number of council members, due to vacancies, is reduced to less than five, in which event a quorum shall consist of all of the remaining council members; but a less number than a quorum may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The failure to amend this Section by amending the references to “members” and “council members” to “members of the city council” or “members including the mayor” may result in an argument that the presence of the Mayor does not count toward a quorum; and a quorum will require at least five (5) of the six members, excluding the Mayor. That interpretation is incorrect given that the intent of the amendments was to only change the manner of election of the Mayor and not to change the meaning of a “quorum” or the voting structure of the city council. If that interpretation were correct, five of the six members, excluding the Mayor, are required for a quorum. It would then follow that if two (2) of the six members are absent, then no quorum exists and the city council could not meet and transact business. That result is not reasonably contemplated by the amendments. Thus, a quorum of the city council remains five and may consist of any five of the six members and the Mayor until a court or other competent authority determines otherwise.

- Vote required for passage of a resolution or ordinance has not changed.

There may be confusion or a misunderstanding that the vote of the Mayor is not counted in the number of votes required for passage. Section 3.12 provides that the yes and no votes shall be taken on the passage of all ordinances or resolutions and entered in the minutes of the proceeding of the council, and every ordinance or resolution shall require for passage the affirmative vote of a majority of the members present. Since a quorum under Section 3.11 is five members, the affirmative vote of at least three members present is required for passage of an ordinance or resolution if only a bare quorum is present. Although it could be argued, as result of the amendments, that the phrase “members present” means the six members excluding the Mayor, and, as a result, the vote of the Mayor may not be included in the minimum number of votes required for passage of an ordinance or resolution. That reasoning is faulty for the same reasons that the presence of the Mayor is counted for purposes of determining a quorum. Moreover, since Section 3.02 provides that the Mayor “shall vote on all matters

coming before the council”, reading Section 3.12 to exclude the vote of the Mayor in determining the minimum number of votes required for passage of an ordinance or resolution would be inconsistent with or contrary to Section 3.02. That result is not reasonably contemplated by the amendments. Since the Charter, as amended, should be construed to be internally consistent whenever possible, and give meaning and effect to all provisions of the Charter, Section 3.12 should be read to mean that the vote of the Mayor may be counted in the required number of votes required for passage of an ordinance or resolution until a court or other competent authority determines otherwise.

- Duties and authority of the Mayor has not changed.
- Duties and authority of the six members has not changed.
- Compensation has not changed.

Section 3.04, which was not amended, provides that each member of the city council receives \$50 per diem for each regular city council meeting. Section 3.04 was not amended to change the phrase “each member of the city council” to “members” or “council members”. Given the intent of the amendments to only change the manner of election of the Mayor, and because Section 3.04 refers to each member of the city council and “city council” means and includes the Mayor and each of the six members, the phrase “member of the city council” in this context means and includes the Mayor and the six members.

- Term limits have not changed.

Term limits apply to the Mayor and each of the six members. Section 3.02 (b) was not amended, and provides no person elected or appointed to the city council (which means, regardless of any amendments, the Mayor and six members) shall serve as a member of the city council for more than six consecutive terms.

- Qualifications to hold office of Mayor has not changed.

The Mayor is subject to the qualifications to hold office under Section 4.04, which prescribes the qualifications for each member of the city council to hold the office. An argument may be made that Section 4.04 should have been amended to change the reference of “each member of the city council” in that Section to “mayor and members,” and that, failing such amendment, the qualifications in Section 4.04 do not apply to the office of Mayor. This argument is incorrect since the phrase “each member of the City Council” means and includes the Mayor and six members. If this Section had been amended by amending “each member of the city council” to “each member”, a different interpretation could result. Moreover, the petition and the amendments do not indicate any intent to exclude the Mayor from the qualifications required to hold office set forth in Section 4.04. The only qualifications set forth in Section 4.04 that are in addition to those prescribed by Election Code are: (i) being a resident of the city for one (1) year previous to the date of election (rather than six months as required by the Election Code); (ii) being twenty-one (21) years of age (rather than 18 years of age); and (iii) and not being in arrears in the payment of any taxes or other liabilities due the city. Until a court or other competent authority holds otherwise the qualifications in Section 4.04 should apply to the Mayor.

May 11, 2013 Election Calendar

DATE	ACTION	DISCRETIONARY	SUGGESTED	MANDATORY	WHO
Dec 28	Post Notice of Filing Period			Dec 31 Deadline	CS
Jan 2	Candidate Packets Available in CSO		Jan 2		CD
Jan 15	Semi-Annual Campaign Finance Report Due			Jan 15	CD
Jan 28	Call/Order Election	Jan 28 - Feb 12		Mar 1 Deadline	CC
Jan 30	First Day to File	Jan 30 - Mar 1		Mar 1 Deadline	CD
Mar 1	Last Day to File	Jan 30 - Mar 1		Mar 1 Deadline	CD
Mar 1	Last Day to Order Election			Mar 1 Deadline	CC
Mar 4	Last Day to Withdraw as Candidate			Mar 4 Deadline	CD
Mar 5-11	Recommended Period to Conduct Drawing	Mar 5 - 11	TBD		CS/CD
Apr 11	1st (30 Day) Campaign Finance Report Due			Apr 11	CD
Apr 11	Last Day to Submit Voter Registration App			Apr 11	VT
Apr 29	First Day of Early Voting			Apr 29	VT
May 3	2nd (8 Day) Campaign Finance Report Due			May 3	CD
May 7	Last Day of Early Voting			May 7	VT
May 11	ELECTION DAY			May 11	
May 14-22	Recommended Period to Canvass Results	May 14 - 22	May 20	May 22 Deadline	CC
May 19-28	Period to Order Run-Off If Necessary	May 19 - 28	May 20	May 28 Deadline	CC
Jun 3- Jul 8	Period to Conduct Run-Off if Necessary	Jun 3 - Jul 8	Jun 15 (County)	Jul 8	
Jul 15	Semi-Annual Campaign Finance Report Due			Jul 15	CD

CS - City Secretary

CD - Candidate

CC - City Council

VT - Voter

City of Richardson

**Year End Financial Report
November 26, 2012
City Council Work Session**



Presentation Overview

- **Brief review of the 2011-2012 Budget Process**
- **Year End Financials across all operating funds . . .**
 - **General Fund**
 - **Water and Sewer Fund**
 - **Solid Waste Services Fund**
 - **Hotel/Motel Tax Fund**
 - **Golf Fund**
- **Focus is on year end performance of revenues and expenditures against last estimate of revenues and expenditures developed in June 2012. A comparative column is also included in the fund summaries comparing last year actual against this years unaudited actuals.**

2011-2012 Budget Process

May 2011 – Departments submitted requests

Jun – Aug 2011 – Budget Team reviewed requests and developed proposed budget

Aug 2011 – Budget submitted to City Council for review

Sept 2011 – City Council approved 2010-2011 Budget

Oct 2011 – 2011-2012 Fiscal Year began

May 2012 – Departments submitted year end estimates

Jun – Jul 2012 – Budget team reviewed year end estimates

July 2012 – Council Budget Retreat on both year-end estimates and 2012-2013

Proposed Budget

Sept 2012 – City Council approved Year End Estimates along with 2012-2013 Budget

Nov 2012 – Year End Financial Report provided

General Fund



Summary

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Beginning Balance	\$15.9 M	\$15.9 M	\$16.0 M	\$16.0 M	\$0.1 M	\$0.1 M	-
Revenues	\$95.9 M	\$97.0 M	\$98.7 M	\$99.6 M	\$3.7 M	\$2.6 M	\$0.9 M
Expenditures & Transfers	\$95.7 M	\$97.0 M	\$98.5 M	\$98.9 M	\$3.2 M	\$1.9 M	\$0.4 M
Ending Balance	\$16.0 M	\$15.9 M	\$16.2 M	\$16.7 M	\$0.7 M	\$0.8 M	\$0.5 M
Days of Fund Balance	60.57	60.00	60.15	60.43			

General Fund

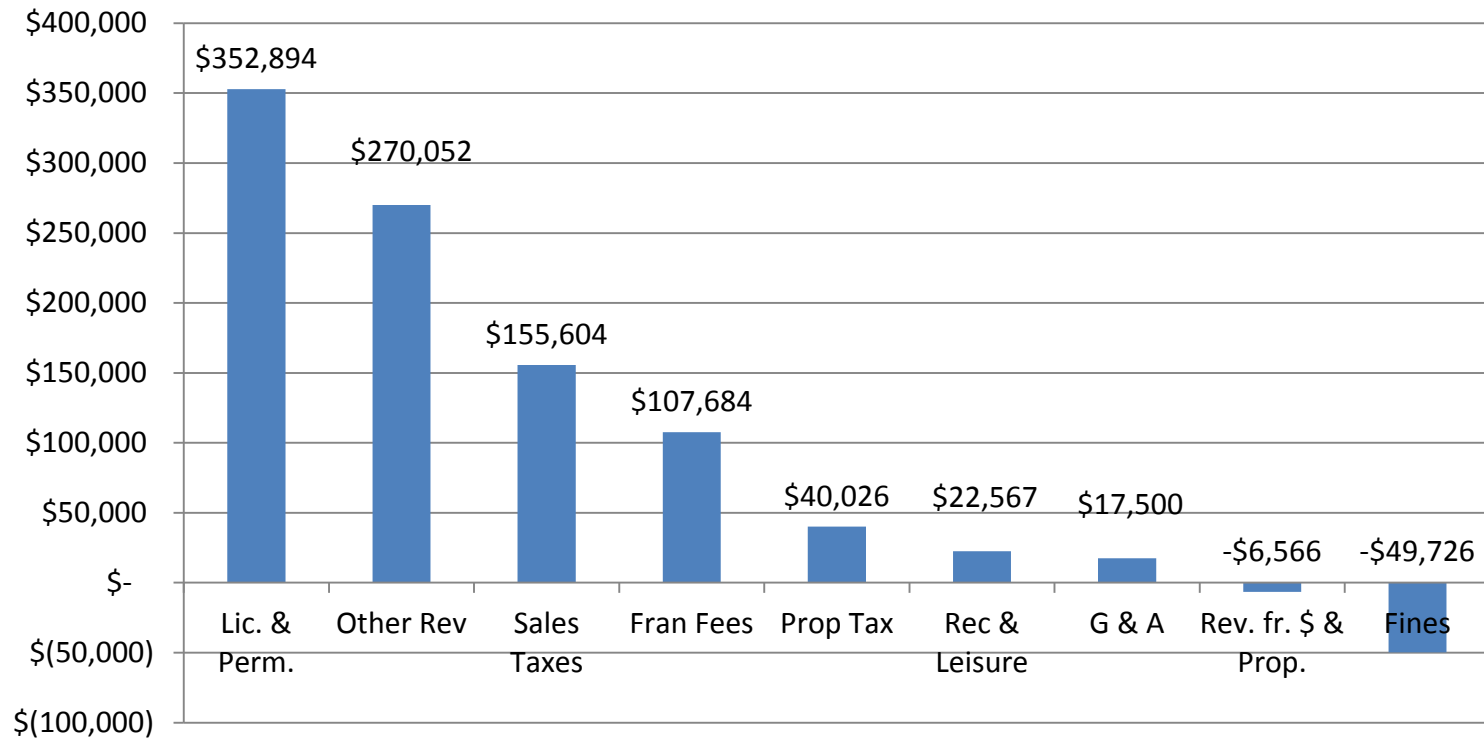
Revenues

	A	B	C	D	D-A	D-B	D-C
Revenue Source	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
General Property Taxes	\$35,069,703	\$36,590,258	\$36,686,155	\$36,726,181	\$1,656,478	\$135,923	\$40,026
Franchise Fees	13,417,937	12,943,372	13,205,248	13,312,932	(105,005)	369,560	107,684
Sales and Other Business Taxe	25,048,050	23,697,359	25,315,332	25,470,936	422,886	1,773,577	155,604
License and Permits	1,766,640	1,748,249	2,051,809	2,404,703	638,063	656,454	352,894
Fines and Forfeits	4,443,097	4,472,207	4,385,084	4,335,358	(107,739)	(136,849)	(49,726)
Revenue From Money/Propert	350,491	408,825	377,217	370,651	20,160	(38,174)	(6,566)
Recreation and Leisure	3,327,353	3,515,771	3,184,506	3,207,073	(120,280)	(308,698)	22,567
Other Revenue	3,868,549	4,280,352	4,273,781	4,543,833	675,284	263,481	270,052
General & Administrative	8,568,498	9,386,180	9,236,180	9,253,680	685,182	(132,500)	17,500
Total Revenues	\$95,860,318	\$97,042,573	\$98,715,312	\$99,625,347	\$3,765,029	\$2,582,774	\$910,035

General Fund

Revenues

Revenue Variance - Unaudited Actual to Estimate



License and Permits

- **The category increased \$353,000 over year-end estimate.**
- **The majority of the increase, or \$327,000 coming from Building Permits.**
 - **Approximately \$150,000 of that increase is due to the year-end permitting for the Creek Side Development.**
 - **The remaining increase is a result of the enhanced development and redevelopment activity**
- **Minor increases and decreases in the remaining License and Permits account for rest of the category increase**

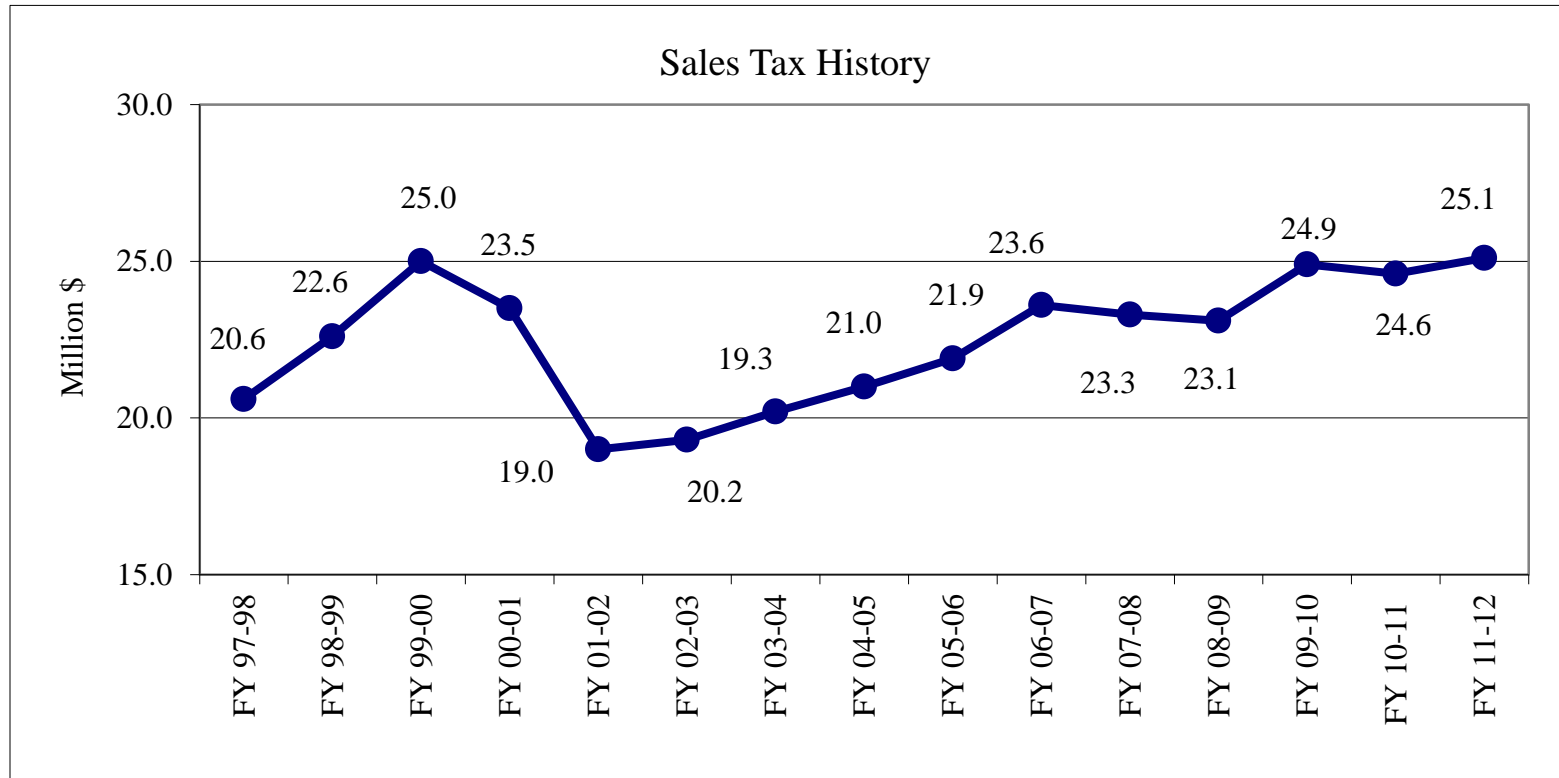
Other Revenue

- **Increased \$270,000 over estimate, all of which is attributable to increased collections for ambulance services.**
 - **As mentioned at Budget Retreat – the close of FY 2011-2012 completes the new billing companies transitional year and some of this increase is due to the “catch up” period from that process.**

Sales Taxes

- **Sales and Other Business Taxes finished the year \$156,000 over the year-end estimate of \$25.3 million.**
- **Sales Tax outperformed the estimate by \$155,000 ending the year at \$25.1 million. This represents an increase of \$1.8 M from original budget and \$493,000 over last year.**
- **The Mixed Beverage Tax came in \$1,000 over estimate at \$291,000 while the Bingo Tax was down (\$490).**

Sales Tax History



Note: These figures represent Sales Tax receipts alone. They do not include Other Business Taxes.

General Fund

Franchise Fees

- **Franchise Fees ended the year \$108,000 over year-end estimate.**
 - **These fees are charged to utility providers who utilize City owned right-of-way for infrastructure necessary to provide their service to both residential and commercial clients.**
- **The Electric Utility Franchise contributed \$106,000 of the total increase.**
- **The remaining fees combined increase \$2,100 over year-end estimates.**

Remaining Revenues

- **The 5 remaining revenue categories, which combined total \$54 M in revenue increased \$24,000 from year end estimates.**

Expenditures

Expenditure Category	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Personal Services	\$71,354,810	\$73,628,229	\$73,053,476	\$72,421,306	\$1,066,496	(\$1,206,923)	(\$632,170)
Professional Services	5,267,846	5,483,734	5,939,763	5,786,292	518,446	302,558	(153,471)
Maintenance	2,721,560	2,969,312	2,950,123	2,278,453	(443,107)	(690,859)	(671,670)
Contracts	5,726,044	5,631,781	5,182,439	5,102,527	(623,517)	(529,254)	(79,912)
Supplies	7,975,456	8,276,157	8,490,657	8,157,904	182,448	(118,253)	(332,753)
Capital	141,358	-	140,305	176,886	35,528	176,886	36,581
Street Rehabilitation	969,678	976,248	976,248	976,248	6,570	-	-
Special Projects	1,350,000	-	100,000	1,900,000	550,000	1,900,000	1,800,000
CoRPlan Supplement	-	-	1,550,000	1,950,000	1,950,000	1,950,000	400,000
Transfer Out - Golf Fund	210,000	-	100,000	170,000	(40,000)	170,000	70,000
Total Transfers & Exp	\$95,716,752	\$96,965,461	\$98,483,011	\$98,919,616	\$3,202,864	\$1,954,155	\$436,605

General Fund

Expenditures

- Total Expenditures, excluding transfers, finished the year (\$1.8 M) below year-end estimate and (\$2.1 M) below original budget.
- Personal Services ended the year (\$632,000) below year end estimate.
 - The Fire Department realized (\$374,000) of the total including (\$138,000) in Overtime plus associated benefits and (\$64,000) in Training.
 - Parks Recreation and Maintenance combined for another (\$137,000) through part time and overtime savings.
 - The remaining (\$121,000) is spread throughout the remaining departments.

Expenditures

- **Professional Services ended the year (\$153,000) under the estimate of \$5.9M. The savings is due to minor savings across various category accounts in many departments.**
- **Maintenance accounts finished the year (\$672,000) below estimates.**
 - **(\$370,000) comes from decreased maintenance on the new radio system during it's first year of operation.**
 - **The remaining (\$302,000) of savings is spread across many maintenance accounts while some has been encumbered at the end of the year.**

Expenditures

- **Contracts came in (\$80,000) below its estimated position of \$5.2 M.**
- **Supplies finished the year with (\$333,000) in savings.**
 - **(\$78,000) in uniform purchases**
 - **(\$65,000) savings for EMS Supplies.**
 - **(\$66,000) in Light and Power**
 - **(\$20,000) in Natural Gas**
 - **(\$40,000) savings for Botanical supplies**
 - **Remaining (\$64,000) in several departments across many line items**
- **Capital purchases were \$37,000 over year end.**
 - **Parks moved savings to capital for the replacement of two turf maintenance units.**

Conclusion

- **Due to better than expected revenue and expenditure performance,**
 - **\$1.9 M will be transferred to a General Fund special projects fund to assist in funding capital items and projects that would otherwise go unfunded.**
 - **The CoRPlan Supplement will be increased to \$1,950,000 to help insure the stability of the fund as the full impacts of the pending health care legislation are fully understood.**
 - **The transfer to the Golf Fund increased to \$170,000 from the \$100,000 anticipated at retreat.**
- **These transfers are net of any fund balance requirement to maintain 60.43 days of fund balance.**

Water and Sewer Fund



Fund Summary

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Beginning Balance	\$11.7 M	\$12.1 M	\$12.2 M	\$12.2 M	\$0.5 M	\$0.1 M	-
Revenues	\$48.5 M	\$46.4 M	\$47.8 M	\$47.8 M	(\$0.7 M)	\$1.4 M	-
Expenditures & Transfers	\$48.0 M	\$46.9 M	\$48.7 M	\$48.4 M	\$0.4 M	\$1.5 M	(\$0.3 M)
Ending Balance	\$12.2 M	\$11.6 M	\$11.4 M	\$11.6 M	(\$0.6 M)	-	\$0.2 M
Days of Fund Balance	90.41	90.22	85.28	87.41			

Revenues

Revenue Source	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Water Sales & Charges	\$ 30,825,678	\$ 27,721,201	\$ 28,262,710	\$ 28,102,498	\$ (2,723,180)	\$ 381,297	\$ (160,212)
Sewer Sales & Charges	16,684,381	16,041,053	16,759,343	16,929,564	245,183	888,511	170,221
Rate Stabilization	-	1,800,000	1,800,000	1,650,000	1,650,000	(150,000)	(150,000)
Late Charges	418,278	433,381	438,330	450,217	31,939	16,836	11,887
Interest from Investments	21,444	14,101	9,100	7,890	(13,554)	(6,211)	(1,210)
Service Fees - Others	51,593	43,432	32,239	30,013	(21,580)	(13,419)	(2,226)
Installation Charges	28,731	29,251	22,670	33,210	4,479	3,959	10,540
Miscellaneous	476,402	365,041	487,385	577,993	101,591	212,952	90,608
Total Revenues	\$48,506,507	\$46,447,460	\$47,811,777	\$47,781,385	(\$725,122)	\$1,333,925	(\$30,392)

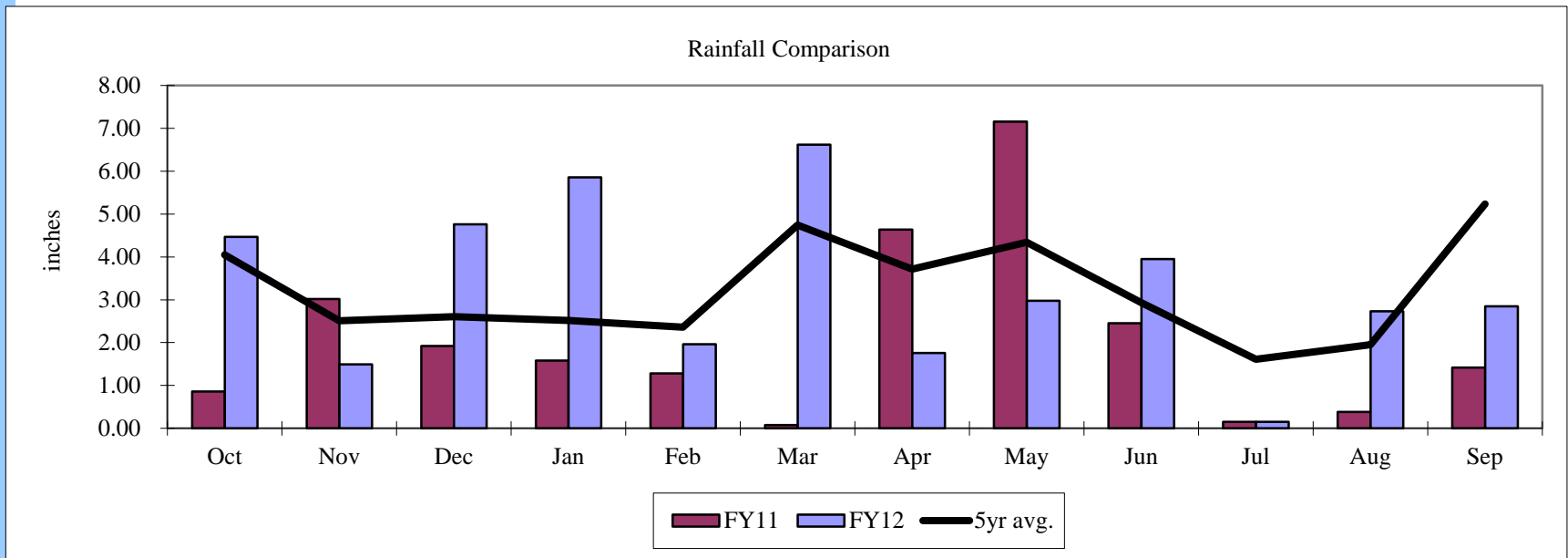
Revenues

- **Total revenues of \$47.8 M are (\$30,000) below year-end estimates.**
- **Water and Sewer Sales combined finished the year \$10,000 above the year end estimate of \$45.0 M.**
- **Excluding the Rate Stabilization transfer, remaining revenues generated an additional \$110,000 over the year-end estimates of \$989,000.**
- **With better than expected revenue and expenditure performance, the Rate Stabilization Transfer will be reduced (\$150,000) leaving those funds available for future use.**

Water and Sewer Fund

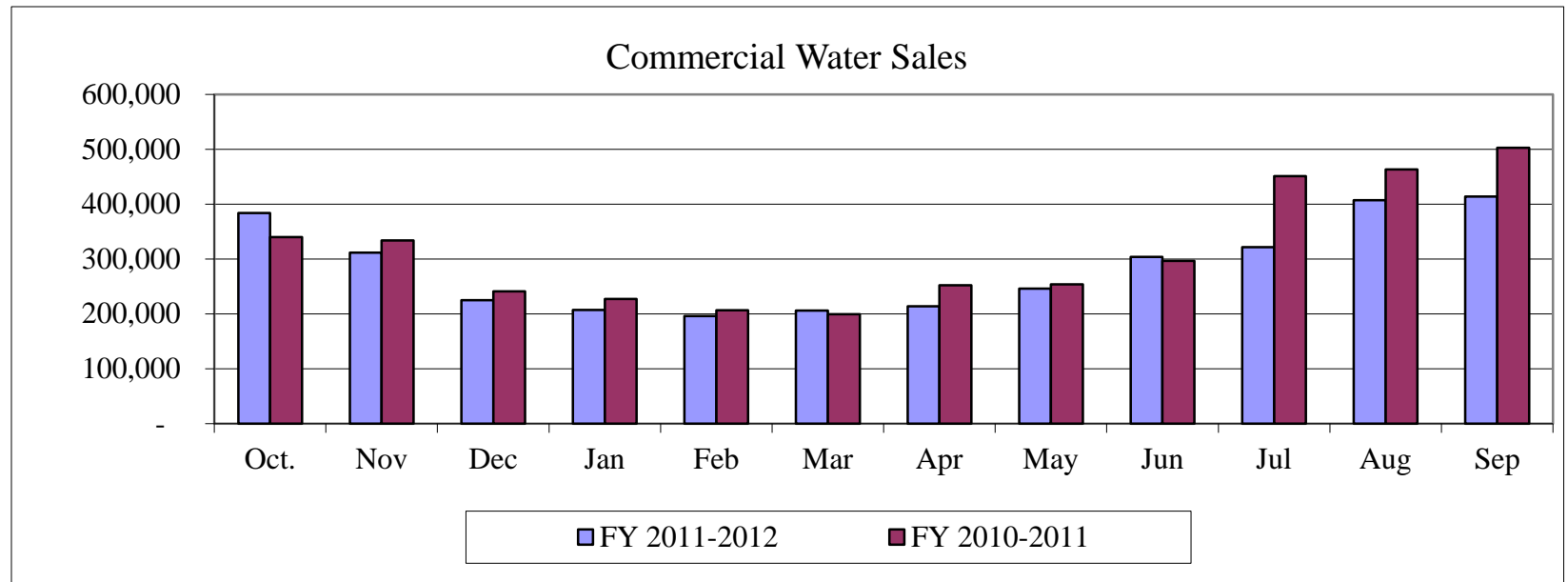
Revenues

- The City received 39.6” of rain in FY 2011-12, compared to the 24.5” in the previous year and the five-year average of 38.6”.

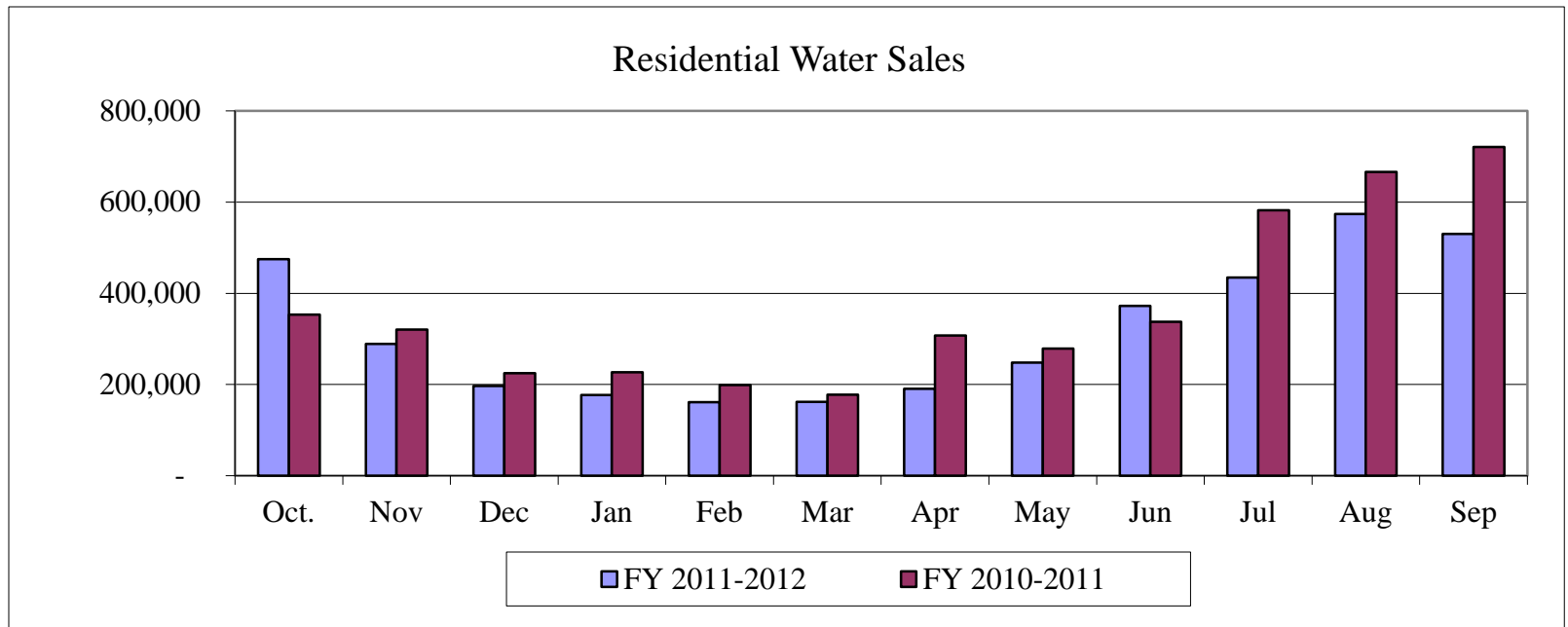


Revenues

- The following charts indicate Commercial and Residential Water Sales and clearly indicate the resultant sales pattern from the increased rainfall.



Revenues



Total Expenditures & Transfers

Expenditure Category	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Personal Services	\$5,994,326	\$6,097,760	\$6,099,614	\$5,972,968	(\$21,358)	(\$124,792)	(\$126,646)
Professional Services	1,415,213	621,646	1,616,646	1,499,199	83,986	877,553	(117,447)
Maintenance	24,774,546	26,394,475	26,743,769	26,974,893	2,200,347	580,418	231,124
Contracts	640,229	642,512	700,138	674,193	33,964	31,681	(25,945)
Supplies	1,426,268	1,174,772	1,492,152	1,430,156	3,888	255,384	(61,996)
Capital	289,681	343,078	303,367	138,415	(151,266)	(204,663)	(164,952)
G & A	3,771,116	3,706,308	3,706,308	3,706,309	(64,807)	1	1
Franchise Fee	2,375,503	2,188,113	2,251,103	2,251,603	(123,900)	63,490	500
BABIC	466,666	466,666	466,666	466,666	-	-	-
Debt Service	4,920,430	5,305,972	5,305,972	5,305,972	385,542	-	-
Rate Stabilization	1,900,000	-	-	-	(1,900,000)	-	-
Total Transfers & Exp.	\$47,973,978	\$46,941,302	\$48,685,735	\$48,420,374	\$446,396	\$1,479,072	(\$265,361)

Water and Sewer Fund

Total Expenditures & Transfers

- **The Maintenance Category saw an additional \$231,000 in expenditures.**
 - **We budgeted a year-end adjustments of (\$1.5 M) for wholesale water but expected that rebate to decline to (\$1.3 M) given the new capital expansion program as the District works to mitigate supply demands.**
 - **The final wholesale water rebate of (\$917,000) is 71.0% of the estimated.**
 - **The final costs for sewer treatment came in \$393,000 above year-end estimate.**
- **The following slide outlines the final billings from our water and sewer service providers.**

Water and Sewer Services Expenditures

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
NTMWD Water	\$14,389,544	\$15,139,160	\$15,139,160	\$15,501,567	\$1,112,023	\$362,407	\$362,407
NTMWD Regional Sewer	3,252,140	3,407,281	3,266,374	3,645,801	393,661	238,520	379,427
NTMWD Upper East Fork	1,508,350	1,485,878	1,582,225	1,748,029	239,679	262,151	165,804
Dallas Sewer	2,052,550	2,304,922	2,436,227	2,275,051	222,501	(29,871)	(161,176)
Garland Sewer	2,524,859	2,644,964	2,758,381	2,767,797	242,938	122,833	9,416
Tot Water & Sewer	\$23,727,443	\$24,982,205	\$25,182,367	\$25,938,245	\$2,210,802	\$956,040	\$755,878

Water and Sewer Fund

Total Expenditures & Transfers

- **Maintenance (cont....) – just as in the General Fund, this category recognized (\$371,000) in savings on radio maintenance as we complete our first year of implementation**
- **The remaining categories combine for (\$497,000) in savings from an estimated budget of \$10.2 M.**
- **Through lower than anticipated overtime, part-time, training and standard vacancies, Personal Services comes in (\$127,000) below year-end estimates of \$6.1 M.**
- **Professional Services recognized (\$117,000) in savings. The majority, or (\$77,000), is due to scaling back on I&I work until the completion of the RJR Wastewater Master plan due later this year..**

Total Expenditures & Transfers

- **Contracts finished the year (\$26,000) below the year-end estimate of \$700,000 as a result of small savings across many accounts throughout the fund.**
- **Supplies ended the year (\$62,000) below year end estimate due to lower electricity and postage costs than estimated.**
- **The Capital category finishes (\$165,000) under the year-end estimate.**

Conclusion...

- **The fund finishes the year with 87.4 days of fund balance, an increase from the 85.3 days estimated but 2.6 days short of the adopted financial policy of 90 days. (subsequent rate action for FY 2012-13 will increase fund balance to 90 days by year end)**

Solid Waste Services Fund



Fund Summary

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Beginning Balance	\$3.6 M	\$3.4 M	\$3.5 M	\$3.5 M	(\$0.1 M)	\$0.1 M	-
Revenues	\$12.3 M	\$12.9 M	\$12.7 M	\$12.7 M	\$0.4 M	(\$0.2 M)	-
Expenditures & Transfers	\$12.5 M	\$13.1 M	\$12.8 M	\$12.2 M	(\$0.3 M)	(\$0.9 M)	(\$0.6 M)
Ending Balance	\$3.5 M	\$3.2 M	\$3.4 M	\$4.0 M	\$0.5 M	\$0.8 M	\$0.6M
Days of Fund Balance	101.13	90.26	96.69	119.02			

Solid Waste Services Fund

Revenues

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Residential Collections	\$5,121,570	\$5,107,032	\$5,125,635	\$5,130,881	\$9,311	\$23,849	\$5,246
Commercial Collections	6,304,566	6,539,714	6,436,884	6,405,836	101,270	(133,878)	(31,048)
Rate Stabilization	-	410,000	-	-	-	(410,000)	-
BABIC Program	466,666	466,666	466,666	466,666	-	-	-
Other Revenue	432,805	382,381	673,571	674,817	242,012	292,436	1,246
Interest Income	4,215	6,841	3,669	3,620	(595)	(3,221)	(49)
Total Revenues	\$12,329,822	\$12,912,634	\$12,706,425	\$12,681,820	\$351,998	(\$230,814)	(\$24,605)

Revenues

- Total revenues finished the year (\$25,000) below year-end estimate of \$12.7 M.
- Residential revenues were \$5,000 over estimated year-end position.
- Commercial Collections finished the year down (\$31,000) from estimate.
- Other Revenue which finished the year \$1,000 above its estimated position.
- Interest Earnings were (\$49) below estimate.

Total Expenditures & Transfers

	A	B	C	D	D-A	D-B	D-C
	ACTUAL	BUDGET	ESTIMATED	ACTUAL	VARIANCE	VARIANCE	VARIANCE
	2010-2011	2011-12	2011-12	2011-12	ACTUAL TO	ACTUAL TO	ACTUAL TO
	(Nov.-11)	(Sept.-11)	(Jul.-12)	(Nov.-12)	ACTUAL	BUDGET	ESTIMATED
Personal Services	\$3,907,262	\$4,249,630	\$4,117,633	\$4,048,130	\$140,868	(\$201,500)	(\$69,503)
Professional Services	23,831	15,550	28,726	18,154	(5,677)	2,604	(10,572)
Maintenance	3,948,805	4,542,835	4,333,199	3,800,175	(148,630)	(742,660)	(533,024)
Contracts	242,863	255,355	283,454	297,634	54,771	42,279	14,180
Supplies	165,324	203,460	196,002	187,941	22,617	(15,519)	(8,061)
Capital	-	-	15,705	15,705	15,705	15,705	-
G & A Transfer	2,121,965	2,014,891	2,014,891	2,014,891	(107,074)	-	-
Franchise Fee	571,307	582,337	578,126	576,836	5,529	(5,501)	(1,290)
Debt Service	1,027,695	1,207,985	1,207,985	1,207,985	180,290	-	-
Rate Satbilization	450,000	-	-	-	(450,000)	-	-
Total Exp and Transfers	\$12,459,052	\$13,072,043	\$12,775,721	\$12,167,451	(\$291,601)	(\$904,592)	(\$608,270)

Solid Waste Services Fund

Total Expenditures & Transfers

- Total Expenditures and Transfers, ended the year (\$608,000) below the estimate of \$12.8 M.
- Personal Services ended the year (\$70,000) below estimate due to routine vacancies in the Residential and BABIC operations.
- Maintenance ended the year (\$533,000) below year-end estimates due to a year-end credit of (\$449,000) from NTMWD for solid waste disposal and lower radio maintenance (\$91,000) as previously mentioned.

Total Expenditures & Transfers

- Remaining expenditure categories combined account for the remaining (\$6,000) in savings.
- Solid Waste will end the year with 119 days in fund balance, or 29 days in excess of the Council approved policy of “90 Days”. Allowing the 29 extra days to roll forward into next year provides two distinct advantages to the fund.
 - The ability to “turn off” the \$625,000 in budgeted rate stabilization for FY 2012-2013 allowing those funds to remain available for future years.
 - Delays rate adjustments until the full impacts derived from the HDR study are well understood.

Solid Waste Services Fund

HDR Study

- **Remaining elements of the study will be evaluated in the January to June time frame allowing us to analyze rate impacts from base cost growth and/or additive service rate impacts for implementation with the FY 2013-2014 budget.**

Hotel/Motel Tax Fund



Fund Summary

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Beginning Balance	\$0.9 M	\$0.7 M	\$1.1 M	\$1.1 M	\$0.2 M	\$0.4 M	-
Revenues	\$5.5 M	\$5.7 M	\$5.4 M	\$5.4 M	(\$0.1 M)	(\$0.3 M)	-
Operating Expenditures	\$4.4 M	\$4.8 M	\$4.7 M	\$4.5 M	\$0.1 M	(\$0.3 M)	(\$0.2 M)
Other Uses	\$0.3 M	\$0.3 M	\$0.4 M	\$0.4 M	\$0.1 M	\$0.1 M	-
Operating Transfers	\$0.7 M	\$0.7 M	\$0.7 M	\$0.7 M	-	-	-
Ending Balance	\$1.1 M	\$0.6 M	\$0.8 M	\$1.0 M	(\$0.2 M)	\$0.3 M	\$0.2 M

Revenues

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Tax Revenues	\$3,039,097	\$3,052,367	\$3,018,024	\$3,012,924	(26,173)	(39,443)	(5,100)
Parking Fees	223,694	215,000	208,038	217,420	(6,274)	2,420	9,382
Eisemann Center	2,264,157	2,408,519	2,179,756	2,178,565	(85,592)	(229,954)	(1,191)
Interest Income	1,375	3,964	1,012	1,279	(96)	(2,685)	267
Total Revenues	\$5,528,323	\$5,679,850	\$5,406,830	\$5,410,188	(\$118,135)	(\$269,662)	\$3,358

Hotel/Motel Tax Fund

Revenues

- **Total revenues finished the year \$3,000 over year-end estimates.**
- **Hotel occupancy taxes ended the year (\$5,000) below estimate .**
- **Eisemann Center revenues and Parking Fees finished the year \$8,000 higher than mid-year estimates.**

Total Expenditures & Transfers

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Operating Expenditures	\$4,393,040	\$4,775,089	\$4,658,884	\$4,453,621	\$60,581	(\$321,468)	(\$205,263)
Other Uses	300,294	310,200	421,582	422,765	122,471	112,565	1,183
Transfer To General Fund - CVS	404,000	405,000	405,000	405,000	1,000	-	-
G & A	250,000	250,000	250,000	250,000	-	-	-
Total Expenditures and Transfers	\$5,347,334	\$5,740,289	\$5,735,466	\$5,531,386	\$184,052	(\$208,903)	(\$204,080)

Total Expenditures & Transfers

- Total Expenditures and Transfers are (\$204,000) below year-end estimate.
- Eisemann Center operating expenditures finished the year (\$177,000) below the year-end estimates.
 - Eisemann operations contributing (\$130,000) of that savings.
 - Eisemann Presents an additional (\$47,000) in cost containment.
- The Parking Garage finished (\$28,000) under year-end estimates.

Golf Fund

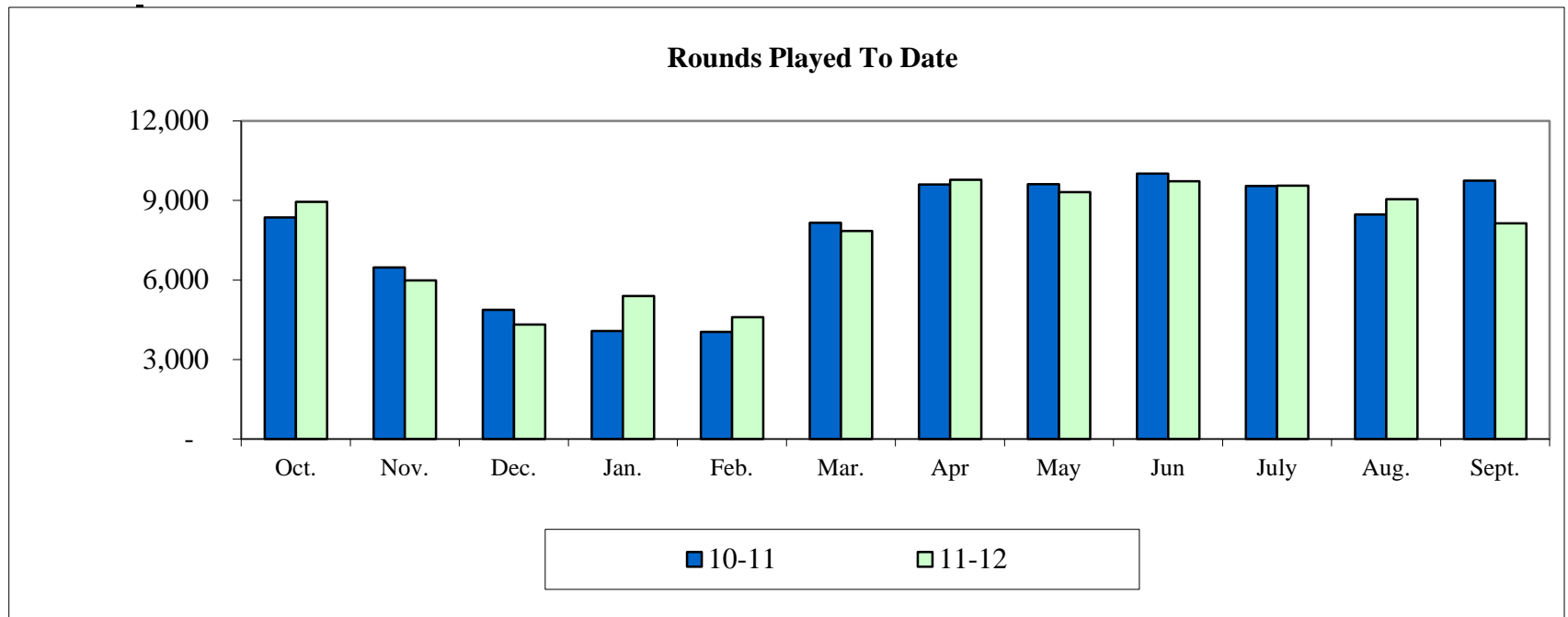


Fund Summary

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Beginning Balance	\$0.2 M	\$0.2 M	\$0.2 M	\$0.2 M	-	-	-
Revenues	\$2.4 M	\$2.2 M	\$2.2 M	\$2.3 M	(\$0.1 M)	\$0.1 M	\$0.1 M
Expenditures & Transfers	\$2.4 M	\$2.2 M	\$2.2 M	\$2.3 M	(\$0.1 M)	\$0.1 M	\$0.1 M
Ending Balance	\$0.2 M	\$0.2 M	\$0.2 M	\$0.2 M	-	-	-
Days of Fund Balance	28.66	30.46	30.54	30.00			

Rounds Played

- For FY 2011-12, total rounds played of 92,681 represent a decrease of (318) rounds from the 92,999 rounds played



Revenues

- **Course fees finished the year (\$127,000) under year-end estimates of \$2.0 M.**
- **Miscellaneous Revenue finished the year up \$13,000 from estimate due to an additional insurance reimbursement due a lightening strike to the sprinkler systems controller.**
- **Due to the reclassification of capital equipment purchased by a General Fund Special Projects Fund, the revenue of \$88,527 is transferred in here to offset the expense recorded under the capital category.**
- **Remaining revenues slightly below target.**

Revenues

- **During the budget retreat, it was expected the General Fund would need to assist with an estimated \$100,000 transfer at year-end to help maintain the minimal 30 days in fund balance. That transfer increased to \$170,000 and maintains the fund at the “30 building to 60” days in fund balance as prescribed in the adopted financial policies.**

Total Expenditures & Transfers

	A	B	C	D	D-A	D-B	D-C
	ACTUAL 2010-2011 (Nov.-11)	BUDGET 2011-12 (Sept.-11)	ESTIMATED 2011-12 (Jul.-12)	ACTUAL 2011-12 (Nov.-12)	VARIANCE ACTUAL TO ACTUAL	VARIANCE ACTUAL TO BUDGET	VARIANCE ACTUAL TO ESTIMATED
Personal Services	\$946,908	\$993,626	\$986,602	\$966,230	\$19,322	(\$27,396)	(\$20,372)
Professional Services	28,822	30,183	50,183	37,544	8,722	7,361	(12,639)
Maintenance	91,161	94,008	116,810	115,732	24,571	21,724	(1,078)
Contracts	59,186	73,852	57,353	55,945	(3,241)	(17,907)	(1,408)
Supplies	507,609	358,750	365,250	354,366	(153,243)	(4,384)	(10,884)
Capital	107,195	-	23,600	112,127	4,932	112,127	88,527
G & A	29,917	84,981	84,981	84,981	55,064	-	-
Debt Service	599,910	542,000	542,000	542,000	(57,910)	-	-
Total Expenditures and Transfers	\$2,370,708	\$2,177,400	\$2,226,779	\$2,268,925	(\$101,783)	\$91,525	\$42,146

Expenditures

- **Total Expenditures finished the year \$42,000 above the year-end estimate.**
- **With minor increases and decreases in the individual categories, the majority of the expenditure increases is due to the reclassification of the capital equipment. As mentioned above, this expense is offset by a like amount increased in revenue.**

City of Richardson

**Year End Financial Report
November 26, 2012
City Council Work Session**

