

**RICHARDSON CITY COUNCIL
FEBRUARY 28, 2011
7:30 P.M.
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

1. **INVOCATION**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
 3. **MINUTES OF THE FEBRUARY 14, 2011 MEETING**
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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.)
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5. CONSIDER APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION.

ACTION TAKEN:

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.

ACTION TAKEN:

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.

ACTION TAKEN:

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:
 - 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, HERINAFTER 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/GLENNVILLE 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 – WE RECOMMEND THE 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 – WE REQUEST 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.

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, FEBRUARY 28, 2011, IN THE RICHARDSON ROOM OF THE CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TEXAS. 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. THIS BUILDING IS WHEELCHAIR ACCESSIBLE. ANY REQUESTS FOR SIGN INTERPRETIVE SERVICES MUST BE MADE 48 HOURS AHEAD OF THE MEETING. TO MAKE ARRANGEMENTS, CALL 972-744-4000 VIA TDD OR CALL 1-800-735-2989 TO REACH 972-744-4000.

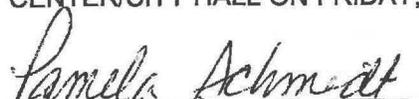
WORK SESSION – 6:00 P.M.:

- Call to Order
- A. Review and Discuss Items Listed on the City Council Meeting Agenda
- B. Review and Discuss the Radio System Updates and Action
- C. Review and Discuss the Fire Station #4 Construction Project
- D. Review and Discuss the West Spring Valley Corridor Reinvestment Strategy Overview
- E. Review and Discuss the 2010 – 2011 First Quarter Financial Report
- F. Review and Discuss the 2011 Texas Legislative Session Update
- G. Report on Items of Community Interest

EXECUTIVE SESSION

- In compliance with Section 551.071 of the Texas Government Code, Council will convene into a closed session to discuss the following:
 - Consultation with City Attorney
 - Land Use and Development Regulations for West Spring Valley Corridor
- Council will reconvene into open session, and take action, if any, on matters discussed in executive session.

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, FEBRUARY 25, 2011, BY 5:00 P.M.


CITY SECRETARY

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
February 14, 2011
City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, February 14, 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
Susan Smith	Asst. Director of Development Services – Engineering
Jim Lockart	Asst. Director of Engineering

1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
3. **MINUTES OF THE JANUARY 24, 2011 AND JANUARY 31, 2011 MEETINGS**

ACTION TAKEN: Mr. Murphy moved approval of the minutes as presented; second by Mr. Townsend 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, referred to his suggestion during the January 31st meeting that the Bush Central Station and Caruth zoning cases be placed on the May 14, 2011 ballot. He suggested the Council remove the items from the Consent Agenda for separate action and suggested it be placed on the May ballot.

5. PRESENTATION OF PROCLAMATION TO BRUCE SHERBET FOR HIS CAREER ACHIEVEMENTS AS DALLAS COUNTY ELECTIONS ADMINISTRATOR.

Mayor Slagel stated he would read the proclamation and thereafter he and the Council would join Mr. Sherbet at the podium to congratulate him and give him an opportunity to say a few words. He stated that Mr. Sherbet served for over 20 years as Elections Administrator and expressed the Council's appreciation for his contributions. Mr. Keffler stated that the Council has, on many occasions, expressed appreciation for the execution and conduction of elections by Bruce Sherbet in years past while noting the seamless and efficient manner in which each has been conducted. He also noted Mr. Sherbet's consequential contributions at the legislative level on behalf of Richardson and all of communities throughout Dallas County. After the reading of the proclamation, each member of the Council individually extended their hand in appreciation. Mr. Sherbet talked about the recent weeks and noted how humbling it has been to hear from many of the people he has touched in the past 24 years. He stated it has been his honor to live in Richardson and serve as the Elections Administrator.

PUBLIC HEARING ITEMS:**6. 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.**

Mr. Keffler advised that the City Plan Commission recommended denial of the request on June 1, 2010 with a 4-3 vote. At the July 12, 2010 Council meeting, the Council took action to delay the item to allow the applicant to further study drainage and flooding concerns. He stated that approval of the item would require a 2/3 affirmative vote. He asked Sam Chavez to further brief the Council.

Mr. Chavez stated the request was for an amendment of the special conditions of the O-M Office District for a proposed one-story office development. The 3.8 acre site is located on the north side of Campbell Road just west of Waterview Parkway. The proposed request includes a curb cut along Campbell Road, reducing the rear yard set back from 25 ft to 10 ft; reducing the east side yard setback from 25 ft to 10 ft; establishing the parking ratio at 1:250 sq ft of office space; and reducing the maximum building height from two story to one story. He stated that the Council continued the request from the July 12 meeting to allow the applicant to further study the area drainage and other issues related to adjacent area residents. He reported that staff reviewed the drainage study for the 112 acre development, also known as Lennox, and found that it was designed to handle storm runoff at full build out of the entire 112 acre development. He reported that Staff inspected and removed debris from the storm drain in Edith Circle, however, the potential for street flooding in Edith Circle was controlled primarily by the elevation of water in the west fork of Cottonwood Creek at the storm creek outfall. He advised that staff has contracted with Hallf & Associates to evaluate detention and channel improvement options to reduce water levels in the creek. He provided and reviewed a chart with the development status, zoning entitlement and the proposed development. He advised that on June 1, 2010, the City Plan Commission recommended denial of the request on a vote of 4-3; therefore a minimum of 6 of 7 affirmative votes from the Council is required to approve the applicant's request. He noted that Jim Lockart, Engineering, was present to respond to questions regarding drainage.

Mr. Murphy referred to a drain that was constructed to assist with drainage to the creek and asked if the flooding was related to an undersized drain going from Edith Circle to the creek. Mr. Lockart stated staff was aware of high water issues in Edith Circle and at the time of the original zoning, there was a requirement for detention due to erosion and drainage concerns downstream. He stated staff evaluated the Edith drainage system and found that the pipe capacity is adequate. Small debris was found in the pipe and was removed, but what's controlling the water surface elevation in Edith Circle is the high water level in the creek east of Edith Circle. Mr. Murphy asked if there was any impact from inadequate drains along Campbell that allow water to run off of Campbell and down Edith Circle to pool at the bottom and Mr. Lockart replied that the storm drain systems on Campbell are not contributing to the flooding.

Mr. Mitchell asked staff to elaborate on the scope of the drainage study that Halff & Associates will conduct. Mr. Lockart stated staff is requesting Halff & Associates to identify a solution to the problem of the high water level in Edith Circle. He stated that the study will look at how to reduce the water level either through reducing the amount of flow that goes to that point using detention or by doing some other improvements to the creek channel so that the water going there will flow at a lower level during big storm events. He provided an aerial map illustrating the area drainage basins noting that the study would address both areas. He stated that the two shaded areas – green and red – are the areas that contribute water to the west fork of Cottonwood Creek, which is the creek that runs along the west side of Waterview. The green shaded area goes through the Lennox development that has two detention ponds. The red shaded area includes areas that currently do not have detention ponds built into it. The Halff study will look at both areas and identify potential sites for additional detention to primarily control the flow of water from the red shaded areas. The study will also look at ways to improve the channel capacity to allow the water that does run off to flow more efficiently.

Mr. Townsend asked staff to address the requested curb cut. Mr. Chavez stated the proposed curb cut is a mechanism to provide direct access onto the site and the proposed cut meets the design standards for driveway openings as well as transition lanes. Mr. Townsend noted that traffic to other sites get in from the back and asked why that couldn't occur for this site. Mr. Chavez explained that the applicant's concern was that it would be creating one point of access or exit onto Jonsson Boulevard. In essence, he would be creating one large internal fire lane, which would have to meet the standards of a cul-d-sac and this site would exceed. He stated it was more from an emergency standpoint than anything else. He stated the curb cut would alleviate some of the traffic that might happen at Lake Park for someone wanting to enter the site by having a second point of access. The drivers traveling east on Campbell would turn on Jonsson from the north.

Mayor Slagel asked if it was staff's opinion that the green area of drainage was adequately handling the requested site; he recognized there's a drainage problem and the Halff study is being conducted to understand how to solve the problem coming from the red shaded area; and Mr. Lockart stated the detention ponds constructed with the Lennox development were designed and are functioning to control the runoff from the area shaded in green. He also noted that it was designed for the current zoning, which is more intense than the proposed development. Mr. Chavez stated that the drainage study for the Lennox area included about 112 acres of property and the detention ponds were designed to accommodate full build out of the 112 acres. Discussion was held regarding the traffic pattern for drivers going west on Campbell.

Mr. Murphy asked if any of the drainage systems put in place anticipated getting more runoff from the UT Dallas campus and Mr. Lockart felt that the culvert at Campbell along with the

infrastructure down from that area would have been designed with the build out of the watershed, but probably was designed before the City's criteria required the current level of discharge. Mr. Murphy asked if the creek area, which has grown considerably over the years, was a substantial contributor to the problem and if the City should begin a more aggressive program on creek maintenance because of the negative impact on Edith Circle. Mr. Lockart stated that part of the scope of the study would be to look at the existing vegetation in the channel and evaluate what would happen if it were reduced.

Mayor Slagel opened the public hearing and invited the applicant to present the request.

Bill Peavy, applicant and Manager of Cloudloft Investments, 1901 N. Akard Street, Dallas, provided a history of other projects he developed and stated that he sells the offices to professional service providers. The offices will include 1,150 square feet; six offices and would include lawyers, CPAs, insurance people; real estate people and typical professional service providers. He stated that he found out about the drainage situation in June and understood that there are a lot of people in the JJ Pearce neighborhood who are upset about drainage concerns. He stated they conducted a topography study; met with Albert Halff, and met with the City on numerous occasions. He stated he understands the neighbors concerns, but he did not believe that the development he proposed has anything to do with the flooding. He stated that in the current undeveloped stage, 10% goes to the creek with 90% going into the detention pond. Once developed, 100% would go into the detention pond resulting in a better situation than it is presently. He talked about the impact of the setbacks noting that he was not asking for variances of the 50 ft setback along Campbell Road or the 25 ft setback on the west side, and pointed out the distances between the buildings. He talked about the challenges with the site and stated the need for the curb cut was due to development and marketability issues.

Mr. Omar asked about the capacity of the detention pond and noted that with the development in place, 100% would be more runoff. Mr. Peavy referred to the comments made by Mr. Lockart stating the pond was designed to handle the entire 112 acres and the development has been far less than entitled, which implies there is a tremendous amount of capacity remaining. He stated the detention pond is designed to act like a bath tub but did not know a direct answer regarding the current capacity.

Grant Woodfin, C&P Engineering, 1801 Gateway Boulevard, stated they don't know the capacity of the pond, but know what it was designed for and they believe it was designed correctly. He stated they don't know the level of silt in the pond. Mr. Lockart stated it was designed for a particular amount of development and only about 1/3 has been built. Mr. Omar stated he is not comfortable with basing his decision on what it was designed for many years ago without knowing how it is currently performing. Mr. Lockart stated evaluation could be done as part of the development process or the study could include a review of the amount of detention the pond currently provides. Mayor Slagel asked if the Halff study would include both drainage areas and Mr. Lockart replied affirmatively. He stated the design tells staff it has the capacity needed and the as-built drawings show that it was constructed according to the construction plans and he has no reason to think that it doesn't have the capacity it was designed to handle. Mr. Omar reiterated his concern about whether or not the detention pond is performing correctly.

Mr. Keffler explained the pond was developed in accordance with the drainage requirements. Each time a new project is developed, it must meet obligations relative to drainage. He felt the critical point is that all of the original plans that were put in place are now handling 1/3 of the amount of development that was originally destined to happen. Staff can provide information on

the original development and each of the layered developments. Should the development proposed by Mr. Peavy be approved, it would have to conduct a drainage study and adhere to the results. The Halff study would address both locations and would provide solutions for the Council.

Mr. Mitchell felt there has been good due diligence incrementally, but flooding continues at Edith Circle and he is hesitant to move forward until the study is completed because he does not want to cause further problems.

Mr. Macy noted that the Council has been told that the project is not going to increase the flooding on Edith Circle. Mayor Slagel asked about the elevations proposed, which had more of a residential look rather than commercial, and asked for the reasoning. Mr. Peavy stated the offices do have a residential look and varies it with stone and accents, but it is built that way because it usually abuts residential property. He stated there would be an association that has a sinking fund to address maintenance.

Mayor Slagel invited speakers to provide input.

Bill McCalpin, 1400 Cheyenne Drive, stated he noticed a huge improvement with the construction of the detention pond, although prolonged rain will cause flooding. He advised that the property owners own the vegetation into the creek and spoke about their interest in preserving the vegetation. It was his opinion that there is side creek impacting the west fork and he advised that the channel narrows causing the water flow to slow down. He stated he was happy for the study and hoped that Halff & Associates is encourage to study all the way to Arapaho and in addition, the side creek coming out of Mimosa Park. He also asked that JJ Pearce, The Reservation and Greenwood Hills associations be kept apprised of the results.

Joe Russum, 1102 Pueblo, representing the JJ Pearce HOA, stated he was encouraged to hear that an extensive study would be conducted and relayed a time when he was fearful of his home being flooded. He felt that Cottonwood Creek was the cause of the flooding and suggested the need for more or larger detention ponds. The HOA doesn't have a problem with the proposed development but felt the study should be completed before allowing the development.

Gary Edmondson, 1101 Edith Circle, referred to a presentation he distributed to Council. He stated the pond does not meter effectively and needed to be checked. He stated the detention pond was supposed to consist of 2½ acres and said it was maybe 1½ acres. He stated it was too low at the end and it only meters for a very short time. He asked that the Council delay action until the study was completed because the land may be needed for detention.

Bob Hutsler, 1092 Edith Circle, thanked the three retiring Council members for their service. He stated that while he has not always agreed with all of the decisions, he felt they would be missed. He stated he had no preference of one or two stories, but if there were fewer buildings, it would result in a smaller footprint. He stated he would object a minor variance to the setback except that it borders the detention pond. He feels the periodic flooding has gotten worst and felt development on the Lennox site was part of the problem. He strongly recommended that the request not be approved until the study is complete. With regard to the request for a curb cut, he stated that Jonsson Street was constructed to allow access to the lots to avoid curb cuts. He addressed problems with exiting Edith Circle noting that many homeowners can only enter and exit the street from Campbell. He asked the Council delay a decision until the study was completed and to deny the request for a curb cut.

Mayor Slagel asked Mr. Edmondson questions about the photos provided. Mr. Edmondson stated his home has not been flooded, but it has come within one inch and it was since the detention ponds were built. Mr. Murphy asked if the water was coming from the backing up of the drain or from the creek and Mr. Edmondson replied it was coming from both. He stated the flooding has been worst since the shopping center was constructed. In response to Mr. Murphy, Mr. Edmondson stated he was indifferent about the request, but his concern was to stop developing until the study is completed.

Mayor Slagel asked Mr. Russom to address a couple of the photos he provided. Mr. Russom stated that when the water goes over Melrose, it is just about going into several houses just north of Melrose and when the water goes over Waterview, it stops rising because it is a good flow. The railing on the current bridge allows water to flow easily and voiced concern that a bridge similar to the one on Waterview would catch debris causing flooding.

Mr. Townsend asked if the pond was supposed to be 2½ acres and the actual size constructed. Mr. Lockart stated the volume the pond holds is more important than the area it covers, but he doesn't know what the actual water level is and the storage area is a bigger area than what the current water level is. He stated he could provide that information to Council. Mr. Woodman stated the blue area on the map is the actual water surface and the black dashed line is the 100 yr flood plain per the Halff study and stated if the pond needed to be larger, it could occur at that area.

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

Mr. Omar asked about the impact to the applicant if a decision on the request was delayed. Mr. Peavy stated he has no intention of being a part of the problem and if the pond is determined to have been constructed properly and works correctly, he would like to move forward. He stated he would not want to delay it six months.

Mr. Omar stated it was the Council's responsibility to make sure that the decision they make does not exacerbate the problem. He stated he would like to know if the system is working properly. Mr. Mitchell stated the flooding seems to continue to worsen. He stated he does not have a problem with the development, but could not approve it until the study is completed. Mr. Murphy felt there are a lot of drainage issues that need to be assessed. While he did not like to delay the development, he felt it was important to do so until the study is completed. Mayor Slagel suggested the request be tabled until they receive the results of the study. Mr. Townsend stated he would like to see the study hastened and completed as quickly as possible. Mr. Macy stated he was ready to vote for approval and he was not convinced that the proposed project had any impact on the drainage. In response to Mayor Slagel, Mr. Chavez reviewed the development process, which is when the drainage code is addressed and explained that the developer will be required to meet the design criteria for runoff and if it doesn't, the building permit would not be issued. He explained that the drainage study by Halff would be for the two water sheds discussed and would take longer than a site specific study. Discussion was held about whether or not to make a decision on the request until the study could be concluded. Mr. Keffler stated the application was brought forward to Council because staff felt there was reasonable demonstration that the site was not the contributing problem to the flooding issue. He understood that if something else is needed, the land could be part of the solution, but there could be other solutions. Mr. Keffler assured Mr. Townsend that staff would work to complete the study as quickly as possible. Mr. Omar stated he would like to know the current capacity of the pond; what it can hold and what capacity it has for expansion, and if staff can verify that the

pond can and will hold 100% of the runoff, he would be ready to move forward. Mr. Murphy felt it was preferable to get the results before making a final determination on the request. He felt it protects the land owner, the applicant, City and the residents.

ACTION TAKEN: Mr. Murphy moved that ZF 10-09 be tabled indefinitely with the understanding that staff expedites the drainage study and work with the various parties to insure that they are aware of the progress; second by Mr. Solomon. Mr. Omar stated he would not be in favor of an indefinite hold. Mayor Slagel felt the study needs to be concluded. Mr. Townsend stated he would like to have a study just on the detention pond as well as the whole area. Mr. Keffler stated staff would check with Halff & Associates about isolating a portion of the study and would respond to Council. Discussion. Mayor Slagel repeated the motion to table the request indefinitely, accelerate the study and republish the notice after the study has been completed. The motion was approved with a vote of 5 – 2; Mr. Omar and Mr. Macy in opposition.

7. PUBLIC HEARING, ZONING FILE 11-01: A REQUEST BY THE CITY OF RICHARDSON, TO AMEND ARTICLE I OF THE COMPREHENSIVE ZONING ORDINANCE BY ADDING THE DEFINITION OF RAINWATER HARVESTING SYSTEM AND BY ADDING RAINWATER HARVESTING SYSTEM TO THE PERMITTED USE REGULATIONS OF ALL SINGLE-FAMILY, PATIO HOME, AND DUPLEX ZONING DISTRICTS.

Mr. Keffler stated that the item was initiated by the Council with a directive to the City Plan Commission to address rainwater harvesting systems. He advised that they met on January 18, 2011 where they recommended approval of the addition of the definition in the zoning ordinance. He asked Mr. Chavez to brief the Council.

Mr. Chavez stated the request is to amend the Comprehensive Zoning Ordinance to include a definition of a rainwater harvesting system and to add the use as an allowed use in the single family detached, patio home and duplex zoning districts. The proposed definition of rainwater harvesting system means any system used for the capture, storage, and distribution of untreated rainwater from a rooftop catchment surface or from precipitation captured directly from the sky to be used for outdoor landscape irrigation. He stated the request is in response to the City's environmental initiatives and a recent request to allow a rainwater harvesting system in a residential district, which was approved in 2010. He stated there would be additional amendments to Chapter 6 of the Code of Ordinances with regard to location, size, capacity, screening, maintenance, exceptions and special permits. He reported that staff has not received any correspondence on the proposed amendment, but there was one resident who spoke at the Plan Commission meeting requesting an increase in the capacity of the system for residential uses, which would be found in Chapter 6. The Plan Commission recommended approval with a vote of 7-0 at the January 18, 2011 meeting.

Mr. Omar noted the desire to increase the amount of storage capacity allowed and wanted more discussion about the permit fee, and stated his understanding that the public hearing was pertinent to the addition of the definition and not storage capacity, to which Mr. Chavez affirmed. Mayor Slagel cautioned the Council to balance the enthusiasm for no limits with the need to control the aesthetics. He stated he is not against collecting rainwater but is against creating something that is very inappropriate for neighborhoods. Mr. Mitchell clarified that 250 gallons was the threshold for requiring a permit, but did not limit the storage capacity. He felt there needs to be a balance between making it something that people will want to do and making it easy. He stated that his research found that the regulations were varied in each city, and stated

he would like to get a better understanding of what would work better for Richardson as they move to discussion of the Chapter 6 regulations.

Mayor Slagel opened the public hearing.

Maitri Smithhisler, 2210 Victoria Lane, felt the proposed regulations address aesthetics with location and screening. She stated she spoke at the Plan Commission addressing the capacity question and felt that 250 gallons was a very low threshold. She felt the ordinance was very comprehensive and a good step forward. She felt that even though the permit is not very high, it would be one more impediment.

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

ACTION TAKEN: Mr. Townsend moved approval of ZF 11-01; second by Mr. Macy and the motion was approved with a unanimous vote.

ACTION ITEMS:

8. A REQUEST BY HUGO MORALES, REPRESENTING KIMLEY-HORN AND ASSOCIATES, FOR APPROVAL OF AN OFFICE USE (DATA CENTER) ON A 7.15 ACRE TRACT WITHIN TRACT R-13B. THE SUBJECT 7.15 ACRE SITE IS LOCATED AT THE NORTHEAST CORNER OF RENNER ROAD AND WYNDHAM LANE AND ZONED PD (PLANNED DEVELOPMENT DISTRICT).

9. VARIANCES 11-01 AND 11-02, RICHARDSON PRIVATE DATA CENTER-II (COMPANION TO ITEM 8 ABOVE): A REQUEST BY HUGO MORALES, REPRESENTING KIMLEY-HORN AND ASSOCIATES, FOR AN APPROVAL OF A VARIANCE FROM ARTICLE III, SECTION 21-47(D), OPEN SPACE AND SCREENING, AND ARTICLE III, SECTION 21-52(I), OFF-STREET PARKING, FOR A PROPOSED DATA CENTER. THE 7.15-ACRE TRACT OF LAND IS LOCATED AT THE NORTHEAST CORNER OF RENNER ROAD AND WYNDHAM LANE.

Mr. Keffler stated that staff would address Items 8 and 9 together since they are companion items and asked Susan Smith, Asst. Director of Development Services, to brief the Council.

Ms. Smtih stated that Items 8 and 9 are companion items with separate actions. The subject property is approximately 7 acres located at the northeast corner Renner Road and Wyndham Lane. She noted that the property to the north is zoned PD Planned Development and has developed as a data center. The property to the east is zoned for apartments and has developed as Fire Station No. 6; to the south is single family residential and to the west the property is zoned PD Planned Development and remains undeveloped. The Item 8 request is to allow an office use or a data center on a 7 acre tract of land which is located in Tract R-13B. For reference, she advised that the Council made a similar decision on the property directly to the north in 1999. With regard to the variances listed in Item 9, she explained the Subdivision and Development Code requires screening where a non-residential development abuts a residential development. The proposed data center is directly adjacent to apartment zoning; however the property developed as Fire Station No. 5. Therefore the applicant is requesting permission to construct a 6 ft height wrought iron fence in lieu of the required masonry screening wall. She confirmed that the Fire Department has no concerns with the request. The second variance involves off street parking and she explained that the current regulations

require that the office space be parked at 1:250 and the unmanned area be parked at 1:1000. She explained that the applicant is asking for a parking reduction to park the manned area at 1:300 sq. ft. and park the unmanned area at 1:3000 sq ft. The request would require 67 parking spaces, which is an approximate 42% reduction. She advised that, as a courtesy, the adjacent property owners as well as the President of the Fairways of Sherrill Park HOA were notified of the request, and stated that no correspondence has been received. The City Plan Commission recommended approval with a unanimous vote.

Mayor Slagle invited the applicant to present the requests.

Jerry Mays, 434 Fall Creek, representing Steam Data Centers, stated he was available to answer questions. There were no questions for the applicant.

Mr. Mitchell commented that the Council has made a concerted effort to convert multi-family zoning to other uses and stated that approving the request removes another 100 apartment units. He felt it was a great use for the property.

ACTION TAKEN: Mr. Omar moved approval of Item 8 as well as VAR 11-01 and 11-02; second by Mr. Macy and the motion was approved with a unanimous vote.

ALL ITEMS LISTED UNDER ITEM 10 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:

10. CONSENT AGENDA:

ACTION TAKEN: Mr. Murphy requested that Items A1, 2 and 3 as well as B2 and approve the remainder of the agenda; second by Mr. Mitchell and the motion was approved with a unanimous vote.

A. Consider the following Ordinances:

1. Ordinance No. 3805 amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in zoning for two (2) tracts of land totaling approximately 86 acres from R-1500-M Temp and TO-M Technical Office to PD Planned Development for property located at the Northeast and Northwest Corners of US Highway 75 and Renner Road.

Pulled from the Consent Agenda for separate action.

2. Ordinance No. 3806 amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in Zoning for a 57.1-acre tract of land from I-M(1) Industrial, PD Planned Development and TO-M Technical Office to PD Planned Development for property located at the Northwest corner of Plano Road and Renner Road.

Pulled from the Consent Agenda for separate action.

3. Ordinance No. 3807 amending the Comprehensive Zoning Ordinance by amending Article I, Section 2, by amending the definition of masonry construction.

Pulled from the Consent Agenda for separate action.

B. Consider the following Resolutions:

1. Resolution No. 11-04 Ordering a General Election to be held on the 14th day of May 2011, for the purpose of electing seven (7) Members of the Richardson City Council; designating Polling Places; ordering Notices of Election to be given; and authorizing execution of Joint Election Contract.
2. Resolution No. 11-05 requesting improvements to Interstate 35 East as designed by the Texas Department of Transportation to be fully funded and implemented for the full project length from Interstate Highway 635 in Dallas County to U.S. Highway 380 in Denton County.

Pulled from the Consent Agenda for separate action.

3. Resolution No. 11-06 recommending the State Legislature pass HJR 56 as filed by Representative Solomons to provide relief from unfunded mandates for local governments.

C. Consider Advertisement of Competitive Sealed Proposal #902-11 – communication equipment shelters & monopole. Competitive sealed proposals to be received by Thursday, March 3, 2011 at 10:00 a.m.

D. Consider award of the following bids:

1. Bid #08-11 – authorization to issue an annual requirements contract with Ewing Irrigation (primary contractor) and Irrigator Supply, Inc. (secondary contractor) for irrigation supplies pursuant to unit prices.
2. Bid #14-11 – award to C. Green Scaping, L.P., for the North Tributary Prairie Creek Erosion in the amount \$207,946.
3. Bid #23-11 – authorization to issue a co-op purchase order to Lassiter Bus & Mobility Company for a twenty passenger shuttle bus for the Parks Department through the Houston-Galveston Area Council of Governments contract #BT01-11 in the amount of \$85,462.
4. Bid #24-11 – authorization to issue a co-op purchase order to Frazer, Ltd for a MICU Ambulance for the Fire Department through the Houston-Galveston Area Council of Governments contract #AM04-10 in the amount of \$126,500.
5. Bid #25-11 – authorization to issue a cooperative annual requirements contract with Casco Industries for Fire Fighting clothes/bunker gear through the city of North Richland Hills pursuant to unit prices.

- E. Authorize the city manager to execute change order to increase purchase order 110275 to Dallas Dodge for two (2) additional police pursuit vehicles in the amount of \$45,682.

ITEMS PULLED FOR SEPARATE ACTION

10A1 Ordinance No. 3805 amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in zoning for two (2) tracts of land totaling approximately 86 acres from R-1500-M Temp and TO-M Technical Office to PD Planned Development for property located at the Northeast and Northwest Corners of US Highway 75 and Renner Road.

10A2 Ordinance No. 3806 amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in Zoning for a 57.1-acre tract of land from I-M(1) Industrial, PD Planned Development and TO-M Technical Office to PD Planned Development for property located at the Northwest corner of Plano Road and Renner Road.

10A3 Ordinance No. 3807 amending the Comprehensive Zoning Ordinance by amending Article I, Section 2, by amending the definition of masonry construction.

Mr. Murphy referred to Mr. Richard Tanner's comments during the visitors section and took exception to his comments. He felt that the Council listened intently over a long period of time as to what the citizens would like to see. He stated pulling the item for a separate vote was a reaffirmation of the importance of the project to the community and the City's future. Mr. Omar stated he has received an overwhelming number of positive responses about the good decision made by the Council and no concern with reaffirming the approval. Mr. Mitchell stated he still feels strongly about the zoning on the property east of Plano Road and while he still does not want to see multi-family there, the fact that they have committed to come back before the Council with regard to the property, says that the applicant is very serious about making good choices about development and understand the angst of multi-family zoning. He stated that the feedback he has received is 99% in favor of the development. Mayor Slagel stated Richardson has a representative form of government and it is the Council's responsibility to study the case and make a decision that the Council feels is best for the community. He stated that he feels very comfortable with the Council's decision. He felt putting the item on the ballot sounds like a good thing to do, but is not appropriate.

ACTION TAKEN: Mr. Murphy moved approval of Items 10A1, 2 and 3; second by Mr. Omar and the motion was approved with a unanimous vote.

10B2. Resolution No. 11-05 requesting improvements to Interstate 35 East as designed by the Texas Department of Transportation to be fully funded and implemented for the full project length from Interstate Highway 635 in Dallas County to U.S. Highway 380 in Denton County.

Mr. Mitchell stated he would ask Dave Carter, Asst. Director of Development Services – Traffic/Transportation, work with the DRMC Executive Director and RTC to craft a resolution. Mr. Murphy stated the resolution approved by DRMC does not address the primacy issue on toll roads or managed lanes. Mr. Mitchell stated that the resolution regarding I35 was being championed by Judge Mary Horn. He stated that most are approving the resolutions approved by DRMC and RTC. Mr. Murphy stated he would not vote for anything that doesn't address the primacy issue. He felt it was an important key to the public/private partnership; toll road managed lanes of the future. Mr. Mitchell stated that the one presented was the one proposed

by DRMC and asked about considering the resolution proposed by the RTC. Mr. Keffler stated the Council could amend the resolution how it saw fit. Mr. Murphy stated the RTC and the DRMC are supposed to together and he would like to see consistency. Mayor Slagel suggested the motion could be to approve the resolution presented with the addition of the primacy issue. Mr. Keffler stated proposed Resolution 11-05 could be amended to incorporate the clauses of the RTC resolution that pertain to primacy.

ACTION TAKEN: Mr. Murphy moved approval of Res 11-05 as amended; second by Mr. Mitchell and the motion was approved with a unanimous vote.

Mr. Solomon wished all of the spouses a Happy Valentine's Day.

Mayor Slagel adjourned the meeting at 10:17 p.m.

MAYOR

ATTEST:

CITY SECRETARY



**City of Richardson
City Council Meeting
Agenda Item Summary**



Meeting Date: Monday, February 28, 2011

Agenda Item: *Visitors (The City Council invites citizens to address the Council on any topic not already scheduled for public hearing.)*

Staff Resource: Pamela Schmidt, City Secretary

Summary: Members of the public are welcome to address the City Council on any topic not already scheduled for public hearing. Speaker Appearance Cards should be submitted to the City Secretary prior to the meeting. Speakers are limited to 5 minutes and should avoid personal attacks, accusations, and characterizations.

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 resolution.

Board/Commission Action: N/A

Action Proposed: Receive comments by visitors.



**City of Richardson
City Council Meeting
Agenda Item Summary**



Meeting Date: Monday, February 28, 2011

Agenda Item: Consider appointments to Parks & Recreation Commission

Staff Resource: Bill Keffler, City Manager

Summary: Parks & Recreation Commission
Appoint Ed Hassler, Vice Chair (PI 3) – remainder of his term
Appoint Jeff Wright (PI 4) – term expiring 12/1/2011

Board/Commission Action: N/A

Action Proposed: Consider motion approving the appointments noted above. Following action, the City Secretary will administer the Oath of Office to Mr. Wright.



MEMO

DATE: February 24, 2011
TO: Honorable Mayor and City Council
FROM: Sam Chavez, Assistant Director of Development Services SC
SUBJECT: Zoning File 11-03 – City of Richardson Radio Communications Tower

REQUEST

The City of Richardson is requesting to rezone an 8.1-acre tract of land from R-1500-M Temp to R-1500-M Residential and requesting a Special Permit for a 199-foot radio communications tower located south of Research Drive, east of Shiloh Road and PGBT.

BACKGROUND

The proposed tower is for the City's new radio communications system, which will increase radio coverage for both the Police and Fire Departments. The need for the location is to better serve the panhandle area of the City as well as the commercial buildings along PGBT, east of Jupiter Road. The proposal includes rezoning the property to a permanent zoning district (R-1500-M Residential) since it never received permanent zoning when it was annexed into the City of Richardson. The Special Permit is required to allow a 180-foot monopole and to allow antennas to extend a maximum fifteen (15) feet above the top of the monopole. The Special Permit request also includes a request to waive the screening requirements for the monopole and the associated equipment building.

PLAN COMMISSION RECOMMENDATION

On February 15, 2011, the Commission voted 7-0 to recommend approval of the request as presented.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 02-15-2011
Staff Report
Zoning Map
Aerial Map
Zoning Exhibit (Exhibit "B-1")

Zoning Exhibit Close-up (Exhibit "B-2")
Tower Elevation (Exhibit "C")
Site Photos (Exhibits "D-1 through D-2")
Applicant's Statement
Notice of Public Hearing
Notification List

SPECIAL CONDITIONS ZF 11-03

1. The subject 8.1-acre site shall be zoned for the R-1500-M Residential District.
2. A Special Permit shall be issued for a 180-foot freestanding antenna with antennas extending no more than fifteen (15) feet above the top of the freestanding antenna as depicted on the attached concept plans and elevation, marked Exhibit "B-1", Exhibit "B-2", and Exhibit "C" and made a part thereof.
3. No screening shall be required for the freestanding antenna or associated equipment building and generator.
4. The freestanding antenna shall be constructed in substantial conformance with the attached concept plans (Exhibit "B-1" and Exhibit "B-2") and elevation (Exhibit "C").

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, February 28, 2011, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following request.

Zoning File 11-03

A request by 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.

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

**CITY OF RICHARDSON
Pamela Schmidt, City Secretary**

**DRAFT - EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – FEBRUARY 15, 2011**

PUBLIC HEARING

Zoning File 11-03: A request by the City of Richardson to rezone a tract of land at the southeast corner of President George Bush Turnpike and Shiloh Road from R-1500-M Temp to R-1500-M Residential with a Special Permit to allow a 199-foot monopole antenna tower for a City of Richardson radio communications tower. The site is currently occupied by a North Texas Municipal Water District (NTMWD) facility.

Mr. Shacklett advised that the site was currently zoned R-1500 Temp after annexation into the City and the applicant was proposing to rezone the property to R-1500-M Residential to construct a communications tower for the City of Richardson. He added that an antenna tower was allowed by right, but the applicant was requesting additional height for both the tower and the antennas, and to waive the screening requirements.

Mr. Shacklett stated the purpose of the new tower and antennas was to enhance police and fire radio coverage especially in the panhandle region of the City, and was part of an overall upgrade of City's radio system to adequately cover the entire City. He added the applicant was requesting a waiver to the required screening because the tower would be located within the screened NTMWD property.

Chairman Gantt acknowledged the stone and concrete screening wall along frontage road and Shiloh Road, but asked about the screening on the remaining three sides.

Mr. Shacklett replied that other three sides were fenced by chain link and quite a bit of vegetation.

Mr. Steve Graves, Chief Information Officer for the City of Richardson addressed the Commission stating that the tower would be part of the replacement for a 15 year old public safety radio system. Graves presented graphics highlighting the current single-site radio system versus the coverage that would be provided by an enhanced system. He added that the new system would give between 95 to 99 percent coverage and would be a simulcast system that would allow more than one site to send a signal at one time.

In closing, Mr. Graves noted that the higher the tower the better the signal, and they had looked at using City facilities, but the proposed tower provided the best option and would help the system last for the next 15 years.

Commissioner Hand asked if there was a signal spillover into Dallas and Garland, and could Richardson possibly use the spillover from their systems in our area.

Mr. Graves replied that the City's signal spills over into Dallas, Garland and Plano, which was actually good for the City because there are Memos of Understanding (MOUs) for public safety units to support those cities and allows the units to communication within those areas.

Regarding the other cities' spillover, Graves explained that each city has its own frequencies; however, the public safety units have an inter-operability where they can switch over and talk to those cities, but the public safety dispatchers can not hear what is going on.

Chairman Gantt opened the public hearing and no comments were made in favor or opposed, therefore, he closed the public hearing.

Vice Chair Hammond commented that the City was positioned in the center of the telecomm industry for North Texas and hoped it was making the highest and best use of technology and not overlooking anything that would give the City a more robust communication system.

Mr. Graves replied that because of the City's unique position in the telecom corridor, many companies brought their technologies to the City for testing including a new product from Alcatel called LTE. He added that the proposed system was a digital state of the art system called P25, but in the future most systems will be converting to a LTE type of system and the City will be ahead of the curve because of the work with Alcatel.

Chairman Gantt asked if would be the need for additional communication towers as the technology evolves.

Graves replied that the sites would be reused and LTE technology could make use of any existing towers. In addition, as LTE and some of the other technologies increase (i.e., streaming video from the patrol cars), light poles throughout the city would be used to transmit the increased data streams back to the 911 center for safety purposes.

Motion: Commissioner Henderson made a motion to recommend approval of Zoning File 11-03 as presented; second by Commissioner Bouvier.

Mr. Chavez asked if the request from the NTMWD for a future single co-location site on the pole would be included in the motion.

Mr. Henderson declined to amend his motion based on discussions regarding the uncertainty of what would be located on the monopole and how that would change the appearance of the pole.

Motion passed 7-0.



Staff Report

TO: City Council

THROUGH: Sam Chavez, AICP, Assistant Director – Development Services

FROM: Chris Shacklett, Planner *CS*

DATE: February 24, 2011

RE: **Zoning File 11-03:** City of Richardson Radio Communications Tower

REQUEST:

Zone change from R-1500-M Temp to R-1500-M Residential with a Special Permit for a 199-foot radio communications tower

APPLICANT:

Brian Davis – City of Richardson

PROPERTY OWNER:

North Texas Municipal Water District (NTMWD)

TRACT SIZE AND LOCATION:

8.1-acre site, south of Research Drive, east of PGBT and Shiloh Road.

EXISTING DEVELOPMENT:

The site consists of a 3,000,000-gallon ground storage tank, an approximately 800-square foot control building for the City's Shiloh Road Pump Station as well as two (2) 3,000,000-gallon ground storage tanks operated by the NTMWD. There are also three (3) vertical turbine pumps with an associated approximately 800-square foot control building operated by NTMWD.

ADJACENT ROADWAYS:

President George Bush Turnpike: Freeway/Turnpike; 69,000 vehicles per day on all lanes, northbound and southbound, north of Shiloh Road (December 2009).

Shiloh Road: Six-lane, divided arterial; 7,900 vehicles per day on Shiloh Road, north of PGBT (March 2009).

Research Drive: Four-lane, undivided major collector; no traffic counts available.

SURROUNDING LAND USE AND ZONING:

North: Vacant; I-M(1) Industrial
South: Vacant; City of Garland - PD
East: Office; I-M(1) Industrial
West: PGBT and Multi-Family/Group Quarters; A-950-M Apartment

FUTURE LAND USE PLAN:

Office/Industry

Areas of low- and medium-density office, as well as manufacturing and distribution facilities.

Future Land Uses of Surrounding Area:

North: Office/Industry
South: City of Garland, Office & Professional Services and Campus Office/Industrial
East: Office/Industry
West: PGBT and Multi-Family Residential

EXISTING ZONING:

The subject property is zoned R-1500-M Temp.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

The requested zoning amendment will not have any significant impacts on the surrounding roadway system or the existing utilities in the area.

APPLICANT'S STATEMENT

(Please refer to the complete Applicant's Statement)

STAFF COMMENTS:

Background:

The site is generally located south of Research Drive on the east side of Shiloh Road and PGBT, and is utilized by the City of Richardson and North Texas Municipal Water District (NTMWD) for water-related operations. The site is accessed by a gated driveway on Shiloh Road at the northeast corner of the property.

The City of Richardson is currently in the process of replacing its aging radio system. Additional radio sites are being constructed to address shortcomings that have been identified by police

officers and firefighters to ensure adequate radio coverage in areas identified as having limited accessibility by personnel carrying portable radios. The City's RF consultants conducted an extensive study and measurement of the system and identified the NTMWD site for the proposed antenna tower. The site provides a location that should have a minimal visual impact to residents, while providing signal strength currently lacking to Public Safety personnel.

Last year, a similar request was heard by the Commission and City Council for a 180-foot DART radio tower with 15-foot antennas located along the DART Red Line, south of Arapaho Road. The tower was needed to enhance DART's communication for public safety purposes, and the request was approved in August 2010.

Request:

The City is requesting to rezone the property from R-1500-M Temp to R-1500-M Residential with a Special Permit to allow a 180-foot freestanding antenna ("monopole") tower atop a concrete footing with three (3) whip antennas that are a maximum fifteen (15) feet each in height. The total height of the tower and antennas would be 199 feet at its highest point.

Zoning

The property is currently zoned R-1500-M Temp. The property never received a permanent zoning designation after it was annexed into the City of Richardson in 1970 (northern portion) and 1989 (southern portion), respectively. The proposed zoning would be R-1500-M Residential, which allows uses such as public buildings and freestanding antennas by right.

The Future Land Use Plan designates the area as Office/Industry; however, upon hearing concerns from the NTMWD that rezoning the property to a non-residential district could impact their insurance tax rate, retaining the R-1500-M Residential District without the Temp designation is appropriate and allows the proposed project to move forward, if approved, based on the following factors:

- The proposed zoning district does not place the NTMWD facility into a non-conforming status and allows the District to maintain its current operation as is
- It is highly unlikely that the site will ever be vacated by the NTMWD, and
- It is highly unlikely that the site would be redeveloped as residential since the site is surrounded by non-residential zoned and non-residential developed property

Special Permit

The purpose of the Special Permit is to grant additional height over what is allowed by right in the Comprehensive Zoning Ordinance for a freestanding antenna monopole. The proposed freestanding monopole, associated 10' x 20' masonry equipment building, and generator would be located along the northern property line as depicted in Exhibits "B-1" and "B-2". The Special Permit request includes the following exceptions to regulations in the Comprehensive Zoning Ordinance in the following areas:

- If the proposed zoning change to R-1500-M Residential is approved, the maximum height allowed in that district is forty (40) feet (*Article IV, Section 3. (a)*)

- The proposed freestanding monopole is 180 feet in height, while the Comprehensive Zoning Ordinance (*Article XXII-E, Section 1. (d) (1)*) limits the structure to 125 feet.
- The proposed antennas extend fifteen (15) feet above the top of the freestanding monopole, while the Comprehensive Zoning Ordinance (*Article XXII-E, Section 1. (d) (2)*) limits them to ten (10) feet above the top of the structure.

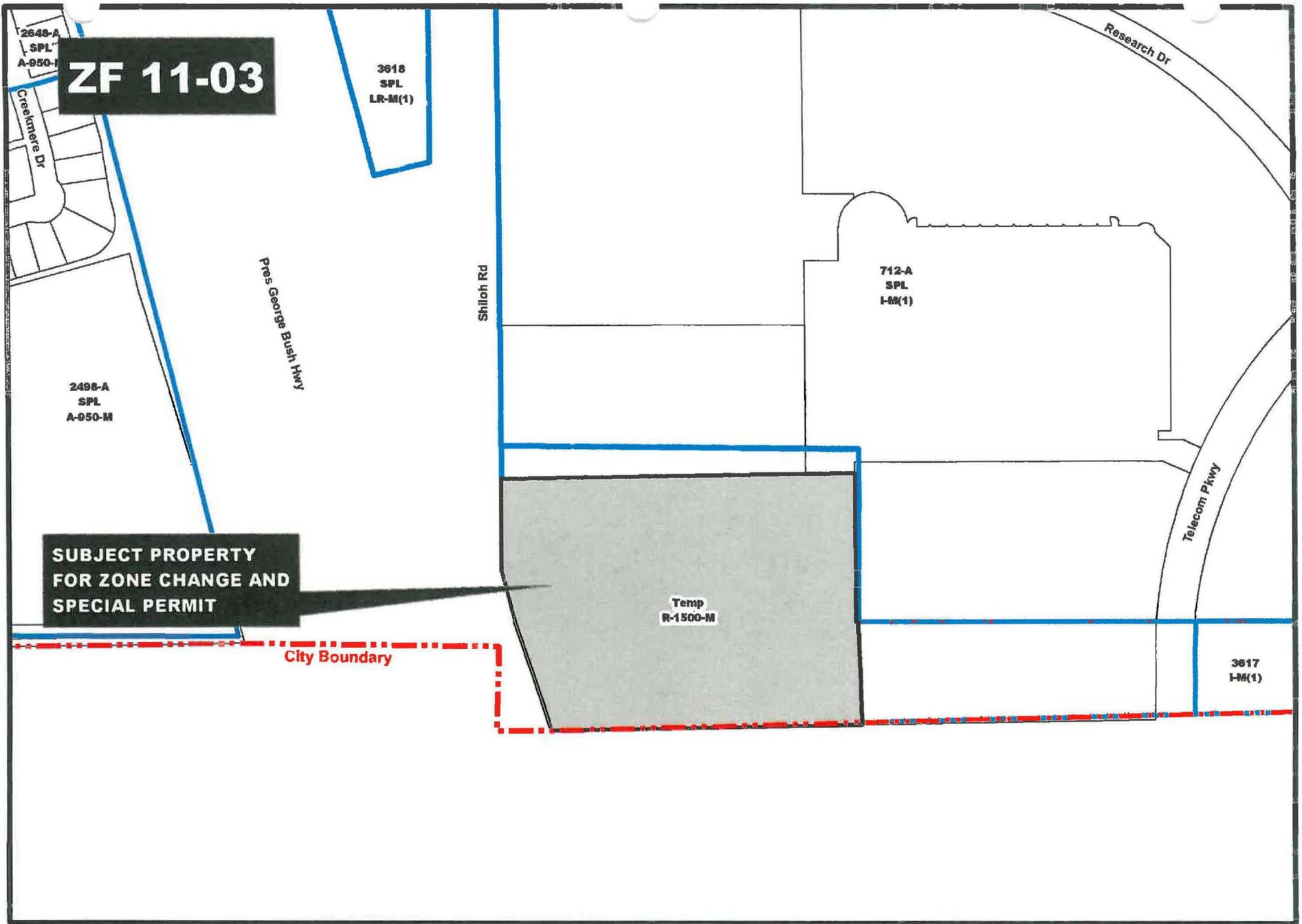
The applicant's Special Permit request also includes a request to not utilize screening around the proposed freestanding monopole and equipment building, while the Comprehensive Zoning Ordinance (*Article XXII-E, Section 1. (d) (4)*) requires the antenna and any equipment buildings to be enclosed by a decorative iron fence with a screening hedge or masonry wall.

- The applicant states the screening is not necessary since the entire NTMWD facility is already enclosed by screening walls, fences and landscaping (See attached aerials).

Correspondence: As of this date, no correspondence has been received.

Motion: On February 15, 2011, the City Plan Commission recommended approval of the request subject to the following special conditions:

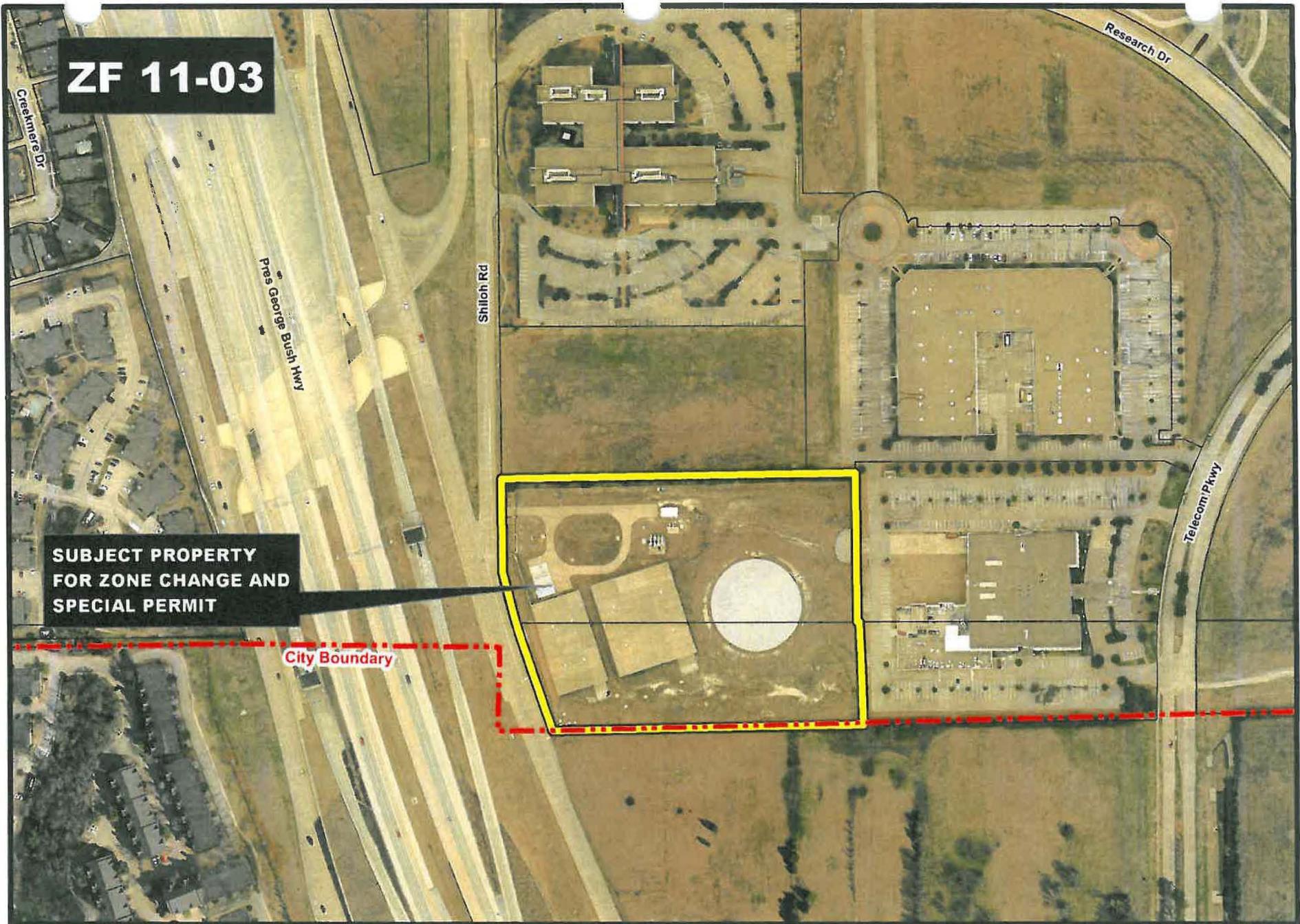
1. The subject 8.1-acre site shall be zoned for the R-1500-M Residential District.
2. A Special Permit shall be issued for a 180-foot freestanding antenna with antennas extending no more than fifteen (15) feet above the top of the freestanding antenna as depicted on the attached concept plans and elevation, marked Exhibit "B-1", Exhibit "B-2", and Exhibit "C" and made a part thereof.
3. No screening shall be required for the freestanding antenna or associated equipment building and generator.
4. The freestanding antenna shall be constructed in substantial conformance with the attached concept plans (Exhibit "B-1" and Exhibit "B-2") and elevation (Exhibit "C").



ZF 11-03 Zoning Map

Updated By: shacklett, Update Date: January 28, 2011
 File: DSI\mapping\Cases\Z\2011\ZF1103\ZF1103 zoning.mxd





ZF 11-03 Aerial Map

Updated By: shacklett, Update Date: January 28, 2011
File: DSI\mapping\Cases\Z\2011\ZF1103\ZF1103 ortho.mxd



Shiloh Rd

PG&T Frontage Rd

52'

18'

10'

39'

55'

Communications
Shelter & Steel
MonoPole

Pump
Room

Reservoir

Reservoir

Reservoir

Exhibit B-1 - Part of Ordinance



CITY OF RICHARDSON
Shiloh Rd.
Communications Shelter
Project
2-1-2011
Not to Scale

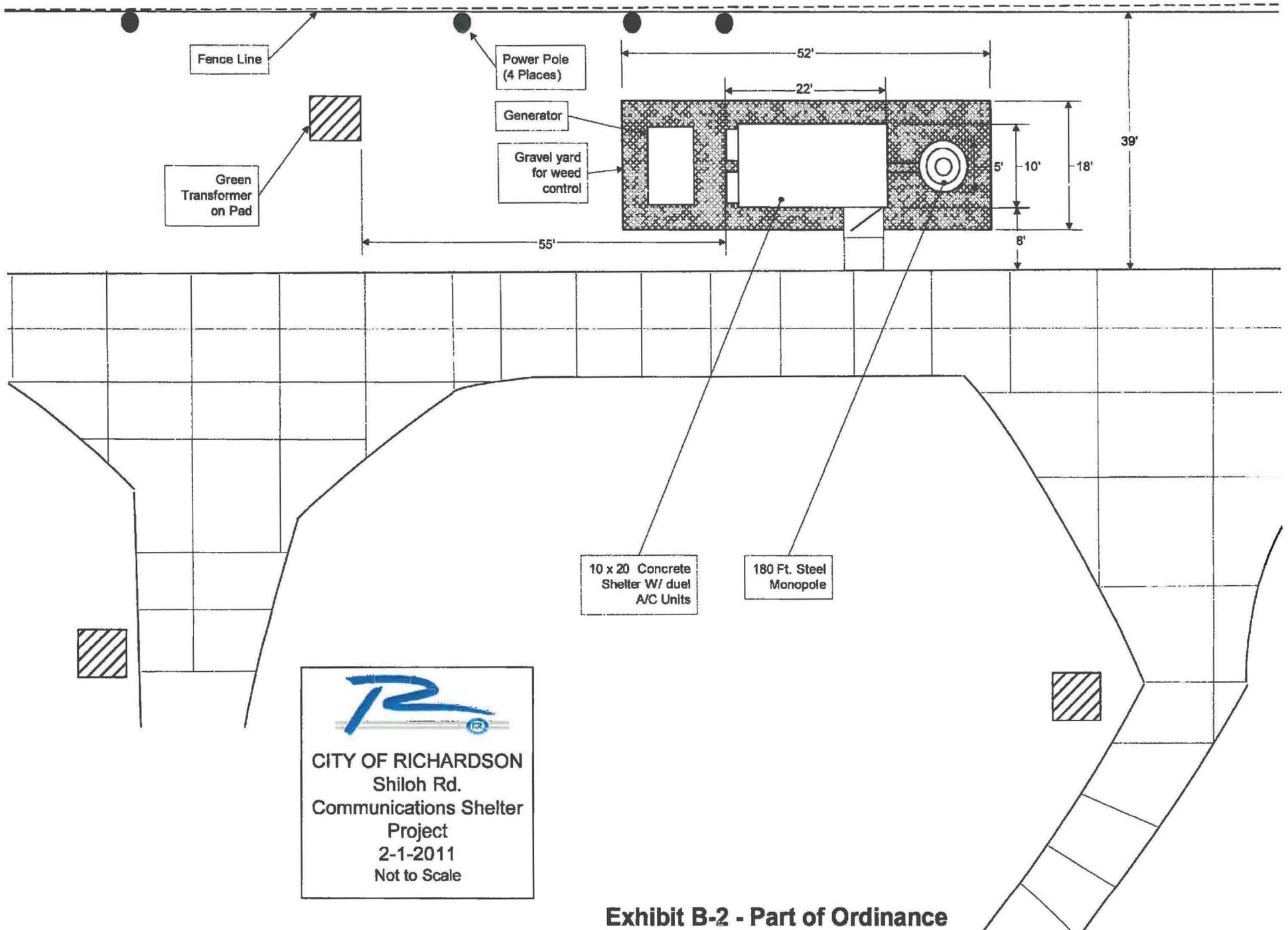
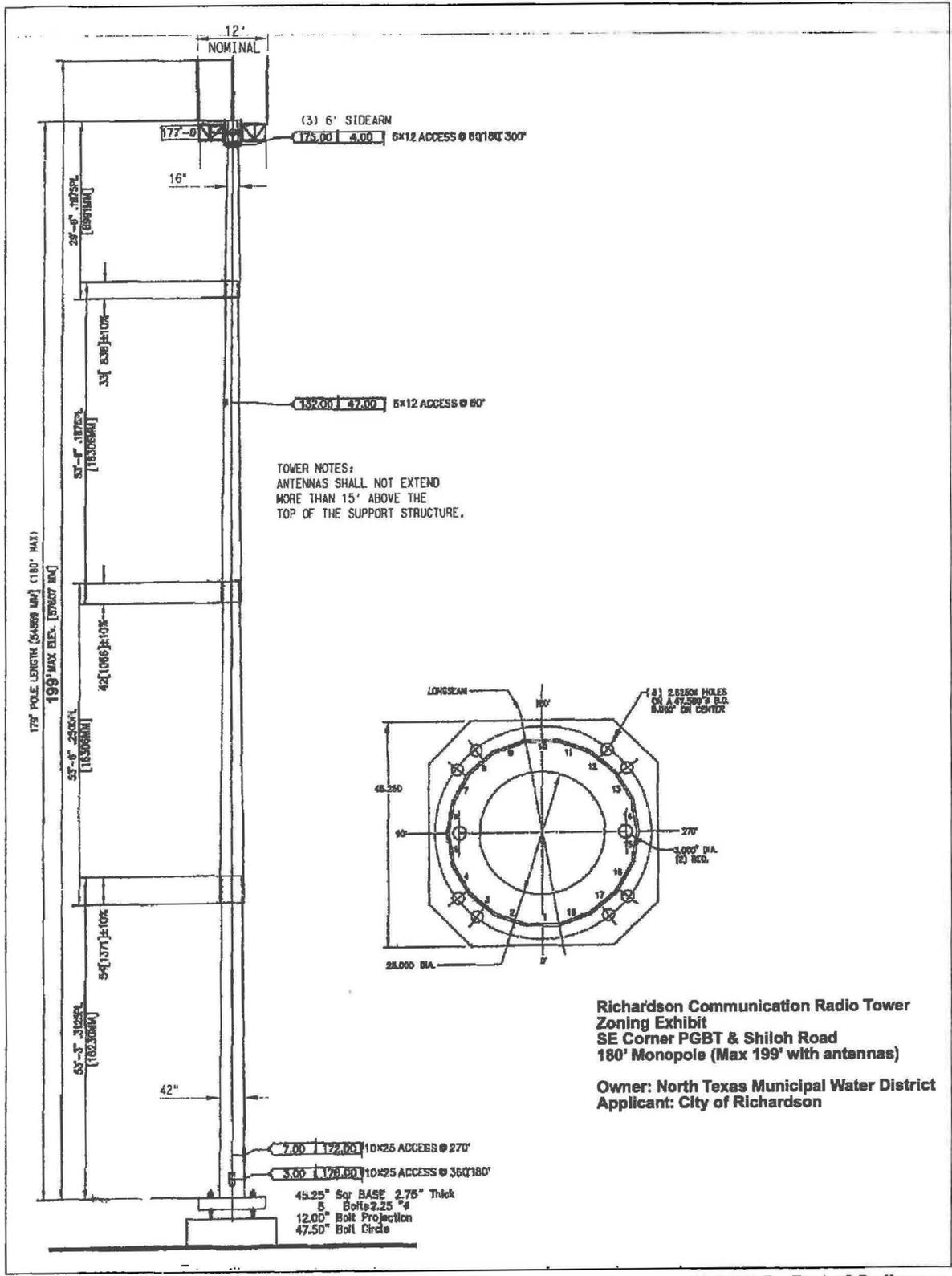


Exhibit B-2 - Part of Ordinance



TOWER NOTES:
 ANTENNAS SHALL NOT EXTEND MORE THAN 15" ABOVE THE TOP OF THE SUPPORT STRUCTURE.

Richardson Communication Radio Tower
 Zoning Exhibit
 SE Corner PG&T & Shiloh Road
 180' Monopole (Max 199' with antennas)

Owner: North Texas Municipal Water District
 Applicant: City of Richardson



(1)

Looking East at Proposed Site

NTMWD Facility - February 2011



(2)

Looking North along Shiloh Road



(3)

Looking Southeast at Proposed Site

NTMWD Facility - February 2011



desc

Brian Davis to: Chris Shacklett

01/31/2011 02:30 PM

From: Brian Davis/CH/Cor
To: Chris Shacklett/CH/Cor@Cor

The City of Richardson is in the process of replacing its aging trunking radio system. In order to address shortcomings in the system identified by firefighters and police officers, additional radio sites are being constructed to ensure adequate radio coverage in areas previously identified as having limited accessibility by personnel carrying portable radios.

After extensive study and measurement by the City's RF Consultants, the City now proposes to build a monopole radio tower at the location currently operated and owned by the North Texas Municipal Water District on the northbound frontage road of SH 190, just north of Shiloh Road. This site is not adjacent to any residential area, and due to its location in an area of light industrial or office activity, provides a locale which should provide minimal visual impact to residents, while providing signal strength sorely needed by our Public Safety personnel.

We propose to build a 180 foot high monopole tower, emplaced upon a concrete footing. This tower will have a cupola at its apex, which will mount three whip antennas of 15 feet in length or less, the entire height no taller than 199 feet at its highest point. Attached to the tower via a cable management tray, the City will also emplace a small masonry building of approximately 10 feet wide by 20 feet long, to house the transmitter equipment necessary to operate the site. The entire site is already enclosed by the screening walls, fences, and landscape of the existing NTMWD property.

Brian L. Davis
Deputy Chief Information Officer, Technology & Franchising
City of Richardson, Texas
Office: 972-744-4017
Fax: 972-744-5810



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

ZONING CHANGE & SPECIAL PERMIT

File No./Name: ZF 11-03 / City of Richardson Radio Communications Tower
Property Owner: North Texas Municipal Water District
Applicant: Brian Davis / City of Richardson
Location: South of Research Drive, on the east side of Shiloh Road
Current Zoning: R-1500-M Temp
Request: Rezone property from R-1500-M Temp to R-1500-M Residential and Special Permit for a 199-foot monopole antenna tower for a City of Richardson communications tower

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

TUESDAY, FEBRUARY 15, 2011
7:00 p.m.
City Council Chambers
Richardson City Hall, 411 W. Arapaho Road
Richardson, Texas

This notice has been sent to all owners of real property within 200 feet of the request; as such ownership appears on the last approved city tax roll.

Process for Public Input: A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the City Plan Commission. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions by the City Plan Commission is excluded from each 15 minute period.

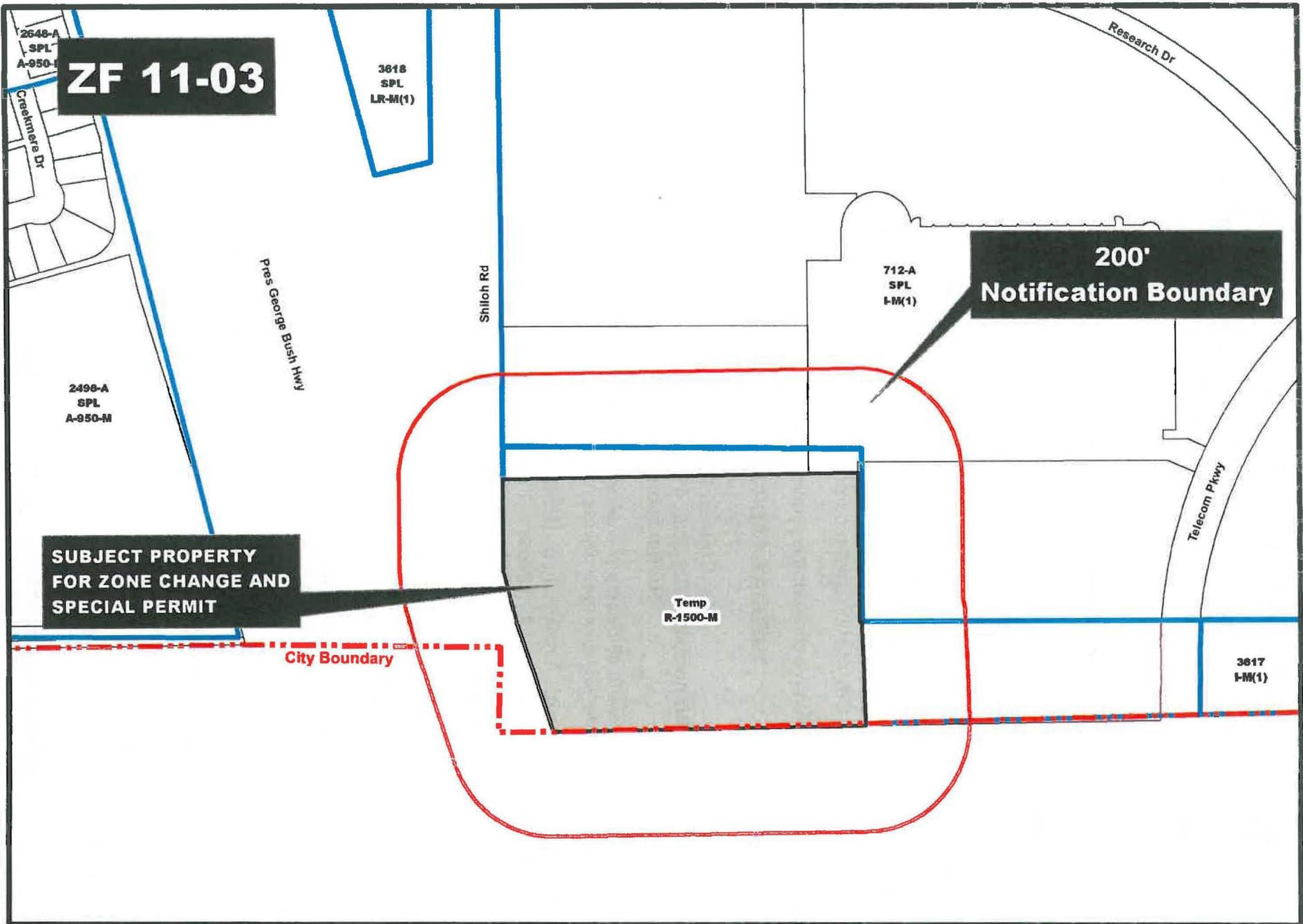
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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

Agenda: The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/DevelopmentServices.aspx?id=11512>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 11-03.

Date Posted and Mailed: 02/04/11



ZF 11-03 Notification Map

Updated By: shacklett, Update Date: January 28, 2011
 File: DSWMap\assets\2011\ZF1103\ZF1103 notification.mxd



COTNET 190 LTD
2855 E COTTONWOOD
WY #560
SALT LAKE CITY, UT 84121-7046

DCAP REAL ESTATE LLC
845 N LARCH AVE
ELMHURST, IL 60126-1114

ANDREW CORPORATION
ATTN LYNN ECKHARDT
2700 ELLIS RD
JOLIET, IL 60433-8459

ANDREW CORPORATION
ATT LYNN ECKHARDT #900
3 WESTBROOK CORP CTR # 90
WESTCHESTER, IL 60154-5703

N. TEXAS MUNICIPAL
WATER DIST
PO BOX 2408
WYLIE, TX 75098-2408

CITY OF GARLAND
PLANNING DEPARTMENT
PO BOX 469002
GARLAND, TX 75046-9002

ZF 11-03
Notification List

ORDINANCE NO. 3808

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, EXTENDING THE EXISTING MORATORIUM ON THE PROPERTY DEVELOPMENT OF ALL COMMERCIAL PROPERTY LOCATED WITHIN THE BOUNDARIES OF THE WEST SPRING VALLEY CORRIDOR; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 13, 2010, the City Council of the City of Richardson, Texas, passed Ordinance No. 3800, adopting and imposing a ninety (90) day moratorium on the property development of all commercial property located within the boundaries of the West Spring Valley Corridor; and

WHEREAS, the moratorium expires on March 13, 2011; and

WHEREAS, Chapter 212, Subchapter E, Texas Local Government Code, authorizes the City of Richardson, Texas, to extend an existing moratorium on the property development of commercial property when applying the existing commercial development ordinances and regulations and other applicable laws are inadequate to prevent the new development from being detrimental to the public health, safety, or welfare of the residents and occupants of the West Spring Valley Corridor and the City; and

WHEREAS, the City Council finds that since the adoption of the moratorium, the City Council, the City Plan Commission and the City staff have made reasonable progress in studying the current zoning classifications and other regulations to determine if there are adequate land use and other regulations for the anticipated growth in the West Spring Valley Corridor; and

WHEREAS, the City Council finds that if the moratorium is extended for an additional ninety (90) days from the initial expiration of the moratorium, the City Council, the City Plan Commission and the City staff will have adequate time to complete their study of the current zoning classifications and other regulations to determine if there are adequate land use and other regulations for the regulation of property development of all commercial property located within the boundaries of the West Spring Valley Corridor; and

WHEREAS, the City Council finds that it is in best interest of the City to extend this moratorium so that the City Council, the City Plan Commission and the City staff can complete their study of the current zoning classifications and other regulations to determine if there are adequate land use and other regulations for the regulation of property development of all commercial property located within the boundaries of the West Spring Valley Corridor; and

WHEREAS, the City Council, the City Plan Commission and the City staff review of the current City regulations relating to property development of commercial property located within the boundaries of the West Spring Valley Corridor is necessary to determine if such regulations meet the needs or require amendment for the West Spring Valley Corridor; and

WHEREAS, considerable growth has occurred throughout the City since the City Council last reviewed the City's land use and other regulations relating to West Spring Valley Road Corridor; and

WHEREAS, the present location of commercial businesses has changed considerably since the City Council adopted the present regulations that govern the West Spring Valley Road Corridor; and

WHEREAS, the City staff and consultants have conducted focus groups and public meetings with various citizens and property owners regarding appropriate land use regulations for the West Spring Valley Corridor and need additional time to complete such meetings and public discussions; and

WHEREAS, the City Council finds and determines that based on reasonably available information that a moratorium is justified because applying the existing development ordinances and regulations and other laws may be inadequate to prevent the redevelopment and new development of commercial property, and such inadequacy is detrimental to the public health, safety, or welfare of the residents of the City; and

WHEREAS, the City Council in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons, and in the exercise of its legislative discretion have concluded that a moratorium on regulation of property development of all commercial property located within the boundaries of the West Spring Valley Corridor should be continued for an additional ninety (90) days; and

WHEREAS, the City Council finds it necessary to extend the moratorium on property development of all commercial property located within the boundaries of the West Spring Valley Corridor as defined in Ordinance No. 3800;

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

SECTION 1. That the City Council, after conducting a public hearing and having heard evidence and testimony, has determined that the facts and recitations contained in the preamble of this ordinance are hereby found to be true and correct, are incorporated herein by reference and serve as the findings of the City Council demonstrating the need to adopt new ordinances or regulations or to amend existing ordinances of the City relating to property development of all commercial property located within the boundaries of the West Spring Valley Corridor,

including the identification of the harm to the public health, safety or welfare that will occur if a moratorium is not adopted. After conducting the public hearing and having heard evidence and testimony, the City Council has made the following additional findings and determinations:

- (a) The need for the moratorium is ongoing, as the findings and determinations adopted in Ordinance No. 3800, included herein by reference, continue to exist;
- (b) The initial moratorium period of ninety (90) days has not provided adequate time to allow the City Council, the City Plan Commission and the City staff to complete their review of the Comprehensive Zoning Ordinance and Code of Ordinances to determine appropriate amendments, if any, to the existing regulations for property development of all commercial property located within the boundaries of the West Spring Valley Corridor and/or whether to adopt any new ordinances to regulate such property development;
- (c) The City Council, the City Plan Commission and the City staff have made reasonable progress in their efforts to determine appropriate amendments if any, to the existing regulations for property development of all commercial property located within the boundaries of the West Spring Valley Corridor and to consider new ordinances to regulate such property development. To that end, the City staff has reviewed studies regarding the West Spring Valley Corridor, and draft regulations prepared by outside planning consultants. However, the efforts of City Staff and the outside consultants are not yet complete; and
- (d) An extension of ninety (90) days from the March 13, 2011 expiration date of the moratorium would allow the City Council, the City Plan Commission and the City staff to complete the necessary research and preparation of appropriate ordinances and regulations and would serve to protect the health, safety and welfare of the citizenry, preserve the quality of life, preserve property values and the character of the West Spring Valley Corridor, and to deter the spread of urban blight until appropriate amendments and/or ordinances have been adopted.

SECTION 2. That the City Council extend for ninety (90) days the moratorium established by Ordinance No. 3800 on property development of all commercial property located within the boundaries of the West Spring Valley Corridor as defined in Ordinance No. 3800, such property development shall include but not be limited to the submittal, review, consideration and approval of any zoning application, variance, plat, site plan, development plan, or the issuance of any building or development permit, issuance of certificates of occupancy, the occupancy of any new or existing structures, final inspections, business license or other

applicable entitlement for use of land, or construction or reconstruction of a structure, for the operation of a new commercial development or the expansion of any existing commercial property. The extension period shall begin on the date the initial moratorium expires, March 13, 2011, and shall continue until the City Council, the City Plan Commission and the City staff have completed their review the Comprehensive Zoning Ordinance and Code of Ordinances of the City to determine appropriate amendments, if any, to the existing regulations for the West Spring Valley Corridor and/or whether to adopt any new ordinances to regulate commercial development within the West Spring Valley Corridor, or until ninety (90) days have expired, whichever occurs first.

SECTION 3. That except as otherwise provided herein, during the extension of the moratorium, no City employee, officer, official, agency, department, board or commission of the City shall accept for filing any application for a preliminary plat, general development plan, zoning or variance, permit for the construction, reconstruction, alteration or improvement of property, for any commercial property development for the establishment of any new commercial use or expansion of an existing commercial (any use other than single-family use, multifamily use, heavy industrial use, or quarry). The department director, building official or other city employee or official responsible for reviewing an application for development as set forth herein shall determine whether the application is subject to the moratorium. Acceptance of an application for the limited purpose of such review shall not constitute filing or acceptance of the application. In the event the official determines that an application is subject to the moratorium, the official shall take no further action on the application, and shall return the application, together with any proffered fee, to the applicant with the notification that the

application will not be accepted for filing or further processing for the duration of the moratorium, or extension thereof.

SECTION 4. That an applicant for a permit for property development of commercial property for any use other than single-family use, multifamily use, heavy industrial use, or quarry within the West Spring Valley Corridor may apply for a waiver to this moratorium by submitting written request for waiver to the City Council for the City of Richardson which shall be voted on by the City Council within ten (10) days after receipt of the request or other time period in accordance with the then applicable law. The appeal shall be in writing and submitted to the City Secretary. The City Council may authorize the requested waiver and the zoning, variance, permit, plat, site plan, development plan or other approval or license requested for such property development. The City Council may deny the appeal/waiver, grant the appeal/waiver and direct the applicable City official to accept and process the application or grant the appeal/waiver and direct the applicable City official to accept and process the application subject to conditions necessary to ensure that the proposed development would not cause adverse effects to the surrounding property and to carry out the spirit and purpose of this ordinance. The City Council should not release the applicant from the requirements of this ordinance unless the applicant first presents credible evidence from which the City Council can reasonably conclude: (1) the application of this ordinance to the applicant would be likely to deprive the applicant of rights protected by law; or (2) the proposed development is compatible with the land uses in proximity to the proposed development and permitting the development to proceed would not cause adverse effects to surrounding property or be contrary to the spirit and purpose of this ordinance. For purposes of this moratorium the terms set forth herein shall have the same

meanings assigned by Chapter 212, Subchapter E, the Comprehensive Zoning Ordinance and Code of Ordinances of the City, except as otherwise provided herein.

SECTION 5. This Ordinance shall expire upon June 11, 2011.

SECTION 6. That all provisions of the Ordinances of the City of Richardson, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provides.

DULY PASSED by the City Council of the City of Richardson, Texas, on the _____ day of _____, 2011.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:02-17-11:47632)

ORDINANCE NO. 3809

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, 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; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Plan Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance should be amended; **NOW THEREFORE**,

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article I, Section 2, in part by adding a new definition for rainwater harvesting system in Article I, Section 2, to read as follows:

**“ARTICLE I. TITLE, DEFINITIONS, GENERAL PROVISIONS,
AUTO WRECKING YARDS AND SWIMMING POOLS**

...

Sec. 2. Definitions.

...

ADD

“Rainwater harvesting system means any system used for the capture, storage, and distribution of untreated rainwater from a rooftop catchment surface or from precipitation captured directly from the sky to be used for outdoor landscape irrigation or foundation watering.”

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article IV, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE IV. R-1500-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 3. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article IV-A, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE IV-A. R-2000-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 4. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956,

as heretofore amended, be, and the same is hereby amended by amending Article IV-B, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE IV-B. R-1800-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 5. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article VI, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE VI. R-1250-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 6. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article VII, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE VII. R-1100-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 7. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article VIII, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE VIII. R-1000-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 8. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article IX, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE IX. R-950-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 9. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XI, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE XI. R-850-F RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 10. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XII, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE XII. R-850-M RESIDENTIAL DISTRICT REGULATIONS

...

Sec. 1. Use Regulations.

...

- (o) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 11. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XII-B, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE XII-B RP-1500-M PATIO HOME REGULATIONS”

Sec. 1. Use Regulations.

...

- (c) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 12. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956,

as heretofore amended, be, and the same is hereby amended by amending Article XIII, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE XIII D-1400-M DUPLEX”

Sec. 1. Use Regulations.

...

- (d) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 13. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XIII-1, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE XIII-1 D-2400-M DUPLEX”

Sec. 1. Use Regulations.

...

- (d) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 14. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XIII-2, Section 1 in part, by adding rainwater harvesting system to the Use Regulations to read as follows:

“ARTICLE XIII-2 D-3000-M DUPLEX”

Sec. 1. Use Regulations.

...

- (d) Rainwater harvesting system, subject to the regulations in Chapter 6 of the Code of Ordinances.”

SECTION 15. 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 16. 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 Comprehensive Zoning Ordinance as a whole.

SECTION 17. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 18. 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 Comprehensive Zoning Ordinance 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 to constitute a separate offense.

SECTION 19. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the _____ day of _____, 2011.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:01-04-11:46824)

CITY SECRETARY

ORDINANCE NO. 3810

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY ADDING ARTICLE XII REGULATING THE USE OF RAINWATER HARVESTING SYSTEMS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Richardson, Texas wishes to amend Chapter 6 of the Code of Ordinances of the City of Richardson, Texas, to add Article XII regulating the use of rainwater harvesting systems; **NOW, THEREFORE**,

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

SECTION 1. That Chapter 6 of the Code of Ordinances of the City of Richardson, Texas, is hereby amended to add Article XII, Rainwater Harvesting Systems, to read as follows:

“ARTICLE XII. RAINWATER HARVESTING SYSTEMS

Sec. 6-500. Definitions.

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

Air gap means a complete physical separation between the free flowing discharge end of a potable water supply pipeline and an open or nonpressure receiving vessel.

Backflow prevention means the mechanical prevention of reverse flow, or back siphonage, of nonpotable water from an irrigation system into the potable water source.

Backflow prevention assembly means any assembly used to prevent backflow into a potable water system. The type of assembly used is based on the existing or potential degree of health hazard and backflow condition.

Catchment surface means the collection surface from which rainfall runs off.

Debris means any visible contaminant including leaves and twigs, dust and dirt, bird and animal droppings, insects, and other visible material.

Debris excluder means any screening component such as a first-flush diverter, leaf screen, roof washer, or other similar device that is designed to prevent debris and sediment from entering the storage tank of a rainwater harvesting system.

Nonpotable water means untreated water that is unsafe for human consumption.

Potable water means water that is suitable for human consumption.

Rainwater harvesting system means any system used for the capture, storage, and distribution of untreated rainwater from a rooftop catchment surface or from precipitation captured directly from the sky to be used for outdoor landscape irrigation or foundation watering and consisting of the components described in Sec. 6-505(5) herein.

Reduced pressure principle backflow prevention assembly means an assembly containing two independently acting, approved check valves together with a hydraulically operating mechanically independent pressure differential relief valve located between the two check valves and below the first check valve.

Storage tank means any tank, cistern, rain barrel, or container used to collect harvested rainwater.

Sec. 6-501. Valid License Required.

- (1) Any person who connects a rainwater harvesting system to the water supply within the city must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30, and required by V.T.C.A., Occupations Code Ch. 1903, or as defined by Chapter 365, Title 22 of the Texas Administrative Code, and required by V.T.C.A., Occupations Code Ch. 1301.
- (2) A property owner is not required to be licensed in accordance with V.T.C.A., Occupations Code, Title 12, § 1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas Administrative Code, Chapter 344 regarding spacing, water pressure, spraying water over impervious materials, rain or moisture shut-off devices or other technology, backflow prevention and isolation valves. The city may, at any point, adopt more stringent requirements for a home or property owner who installs an irrigation system. See V.T.C.A., Occupations Code § 1903.002 for other exemptions to the licensing requirement.

Sec. 6-502. Permits Required.

- (1) Regardless of size, all rainwater harvesting systems are subject to the requirements for storage tank compliance and screening described herein; however, no permit shall be required for a rainwater harvesting system that conveys water to an above ground storage tank, such as a rain barrel, for gravity flow (hose flow) irrigation distribution only, if the

system consists of one or more storage tanks that cumulatively hold 400 gallons or less in volume. Each owner of a rainwater harvesting system that meets these requirements shall register each system with the Chief Building Official.

- (2) It shall be unlawful for any person to construct or install a rainwater harvesting system without having first obtained a permit from the Building Inspection Department if:
 - (a) The system consists of one or more storage tanks that cumulatively hold 400 gallons or more in volume.
 - (b) The system includes the installation of any devices which would require erecting, installing, repairing, converting or replacing any electrical and/or plumbing system/device.
- (3) Adequate plans and specifications, as determined by the Chief Building Official, must accompany each application for a permit.

Sec. 6-503. Inspection and fee.

It shall be the duty of the City Building Inspection Department to inspect all rainwater harvesting systems which require a permit to determine that they are in compliance with this ordinance. For such inspection and the issuance of the permit, a fee in the amount as established by resolution by the City Council shall be paid to the Building Inspection Department prior to the issuance of such permit.

Sec. 6-504. Construction and Maintenance Requirements.

All rainwater harvesting systems shall be constructed and maintained in accordance with the following requirements:

- (1) Compliance with State and Federal Law is the responsibility of the producer, provider, and user of such installations.
- (2) In addition to the requirements of this division, all rainwater harvesting systems must be in compliance with the Richardson Building Code.
- (3) All approved rainwater harvesting systems must be constructed and installed as per the specifications of the manufacturer of that particular system. A copy of these specifications must be submitted to the Building Inspection Department along with the permit application.

Sec. 6-505. Restrictions and limitations.

All rainwater harvesting systems constructed and maintained under the provisions of this ordinance shall be subject to the following restrictions and limitations:

- (1) *Allowable uses.* Allowable uses of rainwater harvesting systems shall be restricted to nonpotable, outdoor irrigation and foundation watering only.
- (2) *Limited service area.* The rainwater harvesting system shall serve only the lot upon which it is located.
- (3) *Connection to the potable water supply.* Connection of more than one water source to an irrigation system presents the potential for contamination of the potable water supply if backflow occurs. Therefore, connection of any additional water source to an irrigation system that is connected to the potable water supply shall be permitted only if the irrigation system is connected to the potable water supply through a reduced-pressure principle backflow prevention assembly or an air gap.
- (4) *Setbacks.* Rainwater harvesting systems shall meet the following setback requirements:
 - (a) *Front.* No rainwater harvesting system or any component thereof shall be located between any front building wall and the front property line.
 - (b) *Side.* There shall be a setback of seven feet from any side property line for any rainwater harvesting system or any component thereof, except the side setback on a corner lot adjacent to a street shall not be less than 20 feet.
 - (c) *Rear.* There shall be a setback of three feet from any rear property line or any side property line in the rear setback area for any rainwater harvesting system or any component thereof.
- (5) *Components.* Regardless of its complexity, a rainwater harvesting system shall be comprised of the following components:
 - (a) *Catchment surface* from which rainwater is collected. Rooftops are the only allowable catchment surface.
 - (b) *Gutters and downspouts* that channel water from the roof catchment surface to the tank.
 - (c) The rainwater catchment conveyance system shall be equipped with a *debris excluder* or other approved means to prevent the accumulation of leaves, needles, other debris and sediment from entering the storage tank. Devices and methods used to remove debris or sediment shall be

accessible and sized and installed in accordance with manufacturer's installation instructions.

- (d) One or more approved *storage tanks*.
 - (e) A *delivery system*, either gravity fed or pumped to the end use.
- (6) *Storage tanks*. Regardless of the size or complexity of storage tanks, the following provisions are required to prevent public health hazards and nuisances:
- (a) Storage tanks must be opaque.
 - (b) Storage tanks must never have been used to store hazardous materials.
 - (c) Storage tanks must be covered and vents screened to prevent mosquito breeding.
 - (d) Storage tanks must be accessible for cleaning and repair
 - (e) Storage tank access openings exceeding 12 inches (305 mm) in diameter shall be secured to prevent tampering and unintended entry by either a lockable device or other approved method.
 - (f) Storage tanks are required to have an overflow port.
 - (g) Storage tanks should be placed on a stable, level surface and it must be capable of holding the maximum possible weight when full.
 - (h) Underground storage tanks must observe a 1:1 setback ratio from the bottom of the house foundation.
 - (i) Above ground storage tanks shall be no more than 8 feet in height.
- (7) *Rainwater identification*. Storage tanks must be labeled "RAINWATER – DO NOT DRINK", "NONPOTABLE WATER – DO NOT DRINK", or with a similar phrase that clearly indicates that the water contained within is not suitable for human consumption.
- (8) *Screening*. A rainwater harvesting system may be installed in the side or rear yard of any property zoned R-2000-M, R-1800-M, R-1500-M, R-1250-M, R-1100-M, R-1000-M, R-950-M, R-850-F, R-850-M, RP-1500-M, D-3000-M, D-2400-M or D-1400-M if the storage tank(s) are screened from view of the adjacent public or private street by a wood fence at least six feet in height or the height of the storage tank(s), whichever is greater, or by a landscaping screen wall consisting of shrubs a minimum of three feet in height when measured immediately after planting and five gallons in size selected from the city-approved plant list that will

provide a continuous unbroken solid visual screen which at maturity will reach a height of six feet or the height of the storage tank(s), whichever is greater.

- (9) *Maintenance.* Any rainwater harvesting system, permitted or unpermitted shall:
- (a) Not remain in a condition so as to create a public health hazard or a nuisance to the general public;
 - (b) Be maintained as required to keep the system functioning as designed;
 - (c) Be maintained so as to prevent the accumulation of unwholesome, stagnant, or offensive water;
 - (d) Be maintained so as to prevent the attraction or breeding of mosquitoes or other undesirable pests;
 - (e) Not be used for the storage of anything other than water or for anything other than its intended purpose as a rainwater harvesting system;
 - (f) Remain in compliance with the provisions listed within this ordinance or be appropriately abandoned in an approved manner.
- (10) *Abandonment.* When a rainwater system is to be abandoned, all re-piping necessary to supply the irrigation with another water source will require applicable permits along with a set of plans to be approved by the Building Department.
- (11) *Exceptions.* No deviation from the height, setback or screening requirements specified herein shall be permitted unless allowed by Special Exception of the Zoning Board of Adjustment.
- (12) *Special Permit Required.* No system that is supplied or supplemented by a water source not specified herein or used for any purpose other than irrigation shall be allowed except by the approval of a Special Permit through the zoning process.”

SECTION 2. 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 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same

shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. 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 Five Hundred Dollars (\$500.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. 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 _____ day of _____, 201 ____.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:01-04-11:46823)

CITY SECRETARY

RESOLUTION NO. 11-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, HEREINAFTER REFERRED TO AS "APPLICANT", DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR AND ON BEHALF OF THE "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; AND PROVING AN EFFECTIVE DATE.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

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

SECTION 1. That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2. That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3. That the Applicant hereby authorizes and directs its City Manager to act for the Applicant in dealing with the Department for the purposes of the Program and that Bill Keffler, or his designee, is hereby officially designated as the representative in this regard.

SECTION 4. That the Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as "Breckinridge Park Improvements" in the City of Richardson for use as a park site and is hereby dedicated for public park and recreation purposes in perpetuity.

SECTION 5. That the Applicant hereby certifies that a copy of the application has been submitted to the appropriate regional council of governments for Texas Review and Comments System consideration.

SECTION 6. That this resolution shall become effective immediately from and after its passage and is accordingly so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas on this the _____ day of _____, 2011.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:02-16-11:47785)

RESOLUTION NO. 11-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, 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; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Amendment # 1 to the Local Transportation Project Advance Funding Agreement by and between the City of Richardson, Texas, and the State of Texas, acting by and through the Texas Department of Transportation, which provides for construction and improvement of various intersections, attached as Exhibit "A" and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the 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 City Manager should be authorized to execute Amendment # 1 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 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, attached hereto as Exhibit "A", having been reviewed by the City Council of the City of Richardson, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved, and the City Manager is hereby authorized to execute the Amendment # 1 on behalf of the City of Richardson, Texas.

SECTION 2. 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 _____ day of February 2011.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY
(PGS:tlo:2-17-11:46788)

CITY SECRETARY

STATE OF TEXAS §
COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
AMENDMENT # 1**

THIS AMENDMENT IS MADE BY AND BETWEEN the State of Texas, acting through the Texas Department of Transportation, hereinafter called the State, and the City of Richardson, acting by and through its duly authorized officials, hereinafter called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on October 28, 2003, to effectuate their agreement for construction administration and letting of various intersection improvements; and,

WHEREAS, an amendment has become necessary to change the agreement from "absolute dollar amount" to "estimated dollar amount" and to revise Attachment C; and,

WHEREAS, it has become necessary to amend that contract;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows:

AGREEMENT

Article 1. Description of Amended Items

Item 12.b. Local Project Sources and Uses of Funds of the original contract is being deleted in it's entirety and replaced with the following:

Item 12.b-1. A Source of Funds estimate is also provided in Attachment C. Attachment C shows the percentage and estimated dollar amount to be contributed to the project by federal, state and local sources.

Attachment C, Budget Estimate and Sources of Funds of the original contract is being deleted in it's entirety and is replaced with Attachment C-1, which is hereto attached.

All other provisions of the original contract are unchanged and remain in full force and effect.

Article 2. Signatory Warranty

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT have executed duplicate counterparts to effectuate this agreement.

THE LOCAL GOVERNMENT – City of Richardson

By: _____
Signature

Printed/Typed Name

Printed/Typed Title

Date

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____
Janice Mullenix
Director of Contract Services
Texas Department of Transportation

Date

**ATTACHMENT C-1
 PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS**

Description	Total Estimate Cost	Federal Participation		State Participation		Local Participation	
		Funding Share %	Actual Participation	Funding Share %	Actual Participation	Funding Share %	Estimated Cost
Construction <i>(by Local Government)</i>	\$2,315,495.68	80%	\$1,852,396.54	0%	\$0	20%	\$463,099.14
TOTAL - Construction	\$2,315,495.68		\$1,852,396.54		\$0		\$463,099.14
Engineering & Contingencies <i>(by Local Government)</i> (Est. @ 11.5% of Construction)	\$266,282.00	80%	\$213,025.60	0%	\$0	20%	\$53,256.40
Direct State Costs <i>(Inspection & Oversight - by State)</i> (Est. @ 4% of Construction)	\$92,619.83	80%	\$74,095.85	0%	\$0	20%	\$18,523.98
TOTAL	\$2,674,397.51		\$2,139,518.00		\$0		\$534,879.51
First Payment due prior at time of execution	\$18,523.98						

Engineering and contingencies charges will be based on actual charges.

City's Total Participation (20%) = \$534,879.51

RESOLUTION NO. 11-09

A RESOLUTION approving and authorizing publication of notice of intention to issue certificates of obligation.

WHEREAS, the City Council of the City of Richardson, Texas, has determined that certificates of obligation should be issued under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271, as amended, for the purpose of paying contractual obligations to be incurred for (1) acquiring, constructing, improving, renovating, and equipping park and recreation facilities, fire fighting facilities, animal shelter facilities and communication and information systems, (2) providing equipment and vehicles for emergency management, information services, police, fire, streets, traffic and transportation, parks and recreation, municipal library, citizen's information television, animal services, fleet services and solid waste services departments, (3) improving and extending the City's water and sewer system and (4) professional services rendered in connection therewith; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the Council proposes to pay the certificates; now, therefore,

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

Section 1: The City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in the principal amount not to exceed \$7,965,000 for the purpose of paying contractual obligations to be incurred for (1) acquiring, constructing, improving, renovating, and equipping park and recreation facilities, fire fighting facilities, animal shelter facilities and communication and information systems, (2) providing equipment and vehicles for emergency management, information services, police, fire, streets, traffic and transportation, parks and recreation, municipal library, citizen's information television, animal services, fleet services and solid waste services departments, (3) improving and extending the City's water and sewer system and (4) professional services rendered in connection therewith. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

Section 2: The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

Section 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by V.T.C.A., Government Code, Chapter 551, as amended.

Section 4: This Resolution shall be in force and effect from and after its passage on the date shown below.

PASSED AND ADOPTED, this February 28, 2011.

Mayor, City of Richardson, Texas

ATTEST:

City Secretary, City of Richardson, Texas

(City Seal)

APPROVED AS TO FORM:

Robert D. Dransfield, Bond Counsel

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF RICHARDSON, TEXAS
CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Richardson, Texas, shall convene at 7:30 p.m. on the 11th day of April, 2011, at 411 W. Arapaho Road, Richardson, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation in one or more series in an amount not to exceed SEVEN MILLION NINE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$7,965,000) for the purpose of paying contractual obligations to be incurred for (1) acquiring, constructing, improving, renovating, and equipping park and recreation facilities, fire fighting facilities, animal shelter facilities and communication and information systems, (2) providing equipment and vehicles for emergency management, information services, police, fire, streets, traffic and transportation, parks and recreation, municipal library, citizen's information television, animal services, fleet services and solid waste services departments, (3) improving and extending the City's water and sewer system and (4) professional services rendered in connection therewith; such certificates of obligation to be payable from ad valorem taxes and a lien on and limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271, as amended.

City Secretary
City of Richardson, Texas

CITY OF RICHARDSON

TO: Bill Keffler - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 26-11
DATE: February 23, 2011

Request Council approval to initiate bids for the following:

Huffhines Recreation Center Alternative Energy Project

Proposed Council approval date: February 28, 2011
Proposed advertising dates: March 2, 2011 & March 9, 2011
Proposed bid due date: March 16, 2011 @ 2:00 p.m.
Proposed bid opening date: March 16, 2011 @ 2:30 p.m.
Engineer's estimated total cost: \$215,000
Account: 313-9739-583-7524, Project #313-101



Pam Kirkland, CPPO, CPPB
Purchasing Manager


Kent Pfeil
Director of Finance
Date

Approved: _____
Bill Keffler
City Manager

_____ Date



MEMO

TO: Bill Keffler, City Manager
THROUGH: E. A. Hoppe, Assistant City Manager *E.A. Hoppe*
FROM: Michael Massey, Director of Parks & Recreation *Massey*
SUBJECT: Permission to Advertise Bid #26-11
Huffhines Recreation Center – Alternative Energy Project
DATE: February 16, 2011

BACKGROUND INFORMATION:

The project includes the construction of one (1) Electric Solar Panel System, one (1) Solar Water Heating System; one (1) Electrical Generating Wind System; and dual electric car charging stations at Huffhines Recreation Center located at 200 N. Plano Road. This project also includes an interactive viewing station inside Huffhines Recreation Center.

FUNDING:

Funding is provided through a U.S. Department of Energy Grant authorized by the Energy Independence and Security Act (EISA) of 2007 In Account #313-9739-583-7524 Project 313-101.

SCHEDULE:

Parks and Recreation plans to begin construction for this project April 2011 and completed by June 2011.

Cc: Roger Scott, Assistant Director of Parks & Rec
Cliff Goff, Tin Star Services
Office\Agenda\Executive\Adv\Huffhines Energy

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**HUFFHINES RECREATION CENTER
ALTERNATIVE ENERGY PROJECT
BID #26-11**

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until 2:00 p.m. Wednesday, March 16, 2011, and will be opened and read aloud in the Capital Projects Conference Room 206, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for this project:

The project includes the construction of one (1) Electric Solar Panel System, one (1) Solar Water Heating System; one (1) Electrical Generating Wind System; and dual electric car charging stations at Huffhines Recreation Center located at 200 N. Plano Road. This project also includes an interactive viewing station inside Huffhines Recreation Center.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The notice of award of contract shall be given to the successful bidder within ninety (90) days following the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of Sixty (60) calendar days will be allowed for construction.

One set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, March 1, 2011** upon a **NON-REFUNDABLE FEE OF Fifty Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number.

A voluntary Pre-Bid conference will be held 10:00 a.m. Thursday, March 10, 2011, in the Capital Projects Conference Room 206, Richardson Civic Center/City Hall.

By: /s/ Gary Slagel, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

PROPOSED PROJECT SCHEDULE

**HUFFHINES RECREATION CENTER
ALTERNATIVE ENERGY PROJECT
BID #26-11**

Agenda Paperwork to Advertise	Friday, February 18, 2011
Council Authorization to Advertise	Monday, February 28, 2011
Plans/Specs Available for Contractors	Tuesday, March 1, 2011
Advertise in Daily Commercial Record	Wednesday, March 2, 2011
Advertise in Daily Commercial Record	Wednesday, March 9, 2011
Pre Bid Meeting (Room 208 - 10:00 a.m.)	Thursday, March 10, 2011
Bids Received & Opened (2:00 open @ 2:30 Room 208)	Wednesday, March 16, 2011
Agenda Paperwork to Award Contract	Friday, March 18, 2011
Council to Award Contract	Monday, March 28, 2011
Pre-Construction Meeting	~
Project Start	~
Project 60 Calendar Days	~

*Project Manager: Roger Scott
Engineers Estimate: \$215,000
City's Account #313-9739-583-7524 #313-101*

CITY OF RICHARDSON

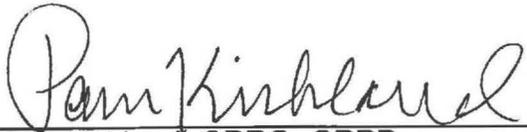
TO: Bill Keffler - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 27-11
DATE: February 23, 2011

Request Council approval to initiate bids for the following:

Park Renovation – Irrigation Systems
(Berkner Park/Richland Park/Glenville Park)

Proposed Council approval date: February 28, 2011
Proposed advertising dates: March 2, 2011 & March 9, 2011
Proposed bid due date: March 17, 2011 @ 3:00 p.m.
Proposed bid opening date: March 17, 2011 @ 3:30 p.m.
Engineer's estimated total cost: \$370,000

Account:	011-3061-541-4359		\$ 10,000
	231-3061-581-7102	Project PM1123	\$130,000
	231-3061-581-7102	Project PM1110	\$ 68,000
	227-3061-581-7102	Project PM0701	\$ 8,235
	228-3061-581-7102	Project PM0801	\$152,815
	229-3061-581-7102	Project PM0901	\$146,346



Pam Kirkland, CPPO, CPPB
Purchasing Manager

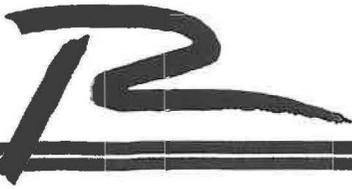


Kent Pfeil
Director of Finance

Date

Approved: _____
Bill Keffler
City Manager

Date



MEMO

TO: Bill Keffler, City Manager

THROUGH: David Morgan, Assistant City Manager *affm*

FROM: Michael Massey, Director of Parks & Recreation

SUBJECT: Permission to Advertise Bid #27-11 Park Renovation – Irrigation Systems
(Berkner Park/Richland Park/Glenville Park)

DATE: February 18, 2011

BACKGROUND INFORMATION:

The Park Renovation-Irrigation Systems Project includes the replacement with new current electric systems that are more efficient. The antiquated hydraulic irrigation systems consist of up to six (6) park locations: Berkner, Richland, Glenville, Canyon Creek, Yale, and Point North Parks. The removal and replacement includes grading, sodding and other miscellaneous appurtenances as shown on the construction documents.

FUNDING:

The following accounts consist of Parks & Recreation Irrigation Repair & Maintenance and Land Betterment funds totaling \$445,558.

011-3061-541-4359	\$10,000	231-3061-581-7102 PM 1123	\$130,000
231-3061-581-7102 PM 1110	\$68,000	227-3061-581-7102 PM 0701	\$8,235
228-3061-581-7102 PM 0801	\$152,815	229-3061-581-7102 PM 0901	\$80,206

SCHEDULE:

Parks & Recreation plans to begin construction for this project April 2011 and completed by September 2011.

Cc: Roger Scott, Assistant Director of Parks & Recreation
 Dan Baker, Supt of Parks
 Bobby Kinser, Assistant Parks Supt.
 Office\Agenda\Executive\Adv\Irrigation System

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**PARK RENOVATIONS – IRRIGATION SYSTEMS
(Berkner Park/Richland Park/Glenville Park
BID #27-11**

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **3:00 p.m. Thursday, March 17, 2011**, and will be opened and read aloud in the Capital Projects Conference Room 206, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for this project:

The Park Renovation-Irrigation Systems includes the replacement with new current electric systems that are more efficient. The antiquated hydraulic irrigation systems consist of up to six (6) park locations: Berkner, Richland, Glenville, Canyon Creek, Yale, and Point North Parks. This project will consist of trenching, piping new mainline and lateral lines, installing new valves, heads, wire and irrigation controllers along with grading and re-establishing and damaged turf areas with sod and other miscellaneous appurtenances as shown on the construction documents.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The notice of award of contract shall be given to the successful bidder within ninety (90) days following the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

The base bid of three (3) park locations have a maximum of One Hundred Five (105) calendar days allowed for construction. The three (3) alternate parks are allowed a maximum of thirty-Five (35) additional calendar days per Park location for construction

One set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, March 1, 2011** upon a **NON-REFUNDABLE FEE OF Fifty Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number.

A MANDATORY Pre-Bid conference will be held 2:00 p.m. Thursday, March 10, 2011, in the Capital Projects Conference Room 206, Richardson Civic Center/City Hall.

By:/s/Gary Slagel, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

PROPOSED PROJECT SCHEDULE

PARK RENOVATION - IRRIGATION SYSTEMS (Berkner Park/Richland Park and Glenville Park)

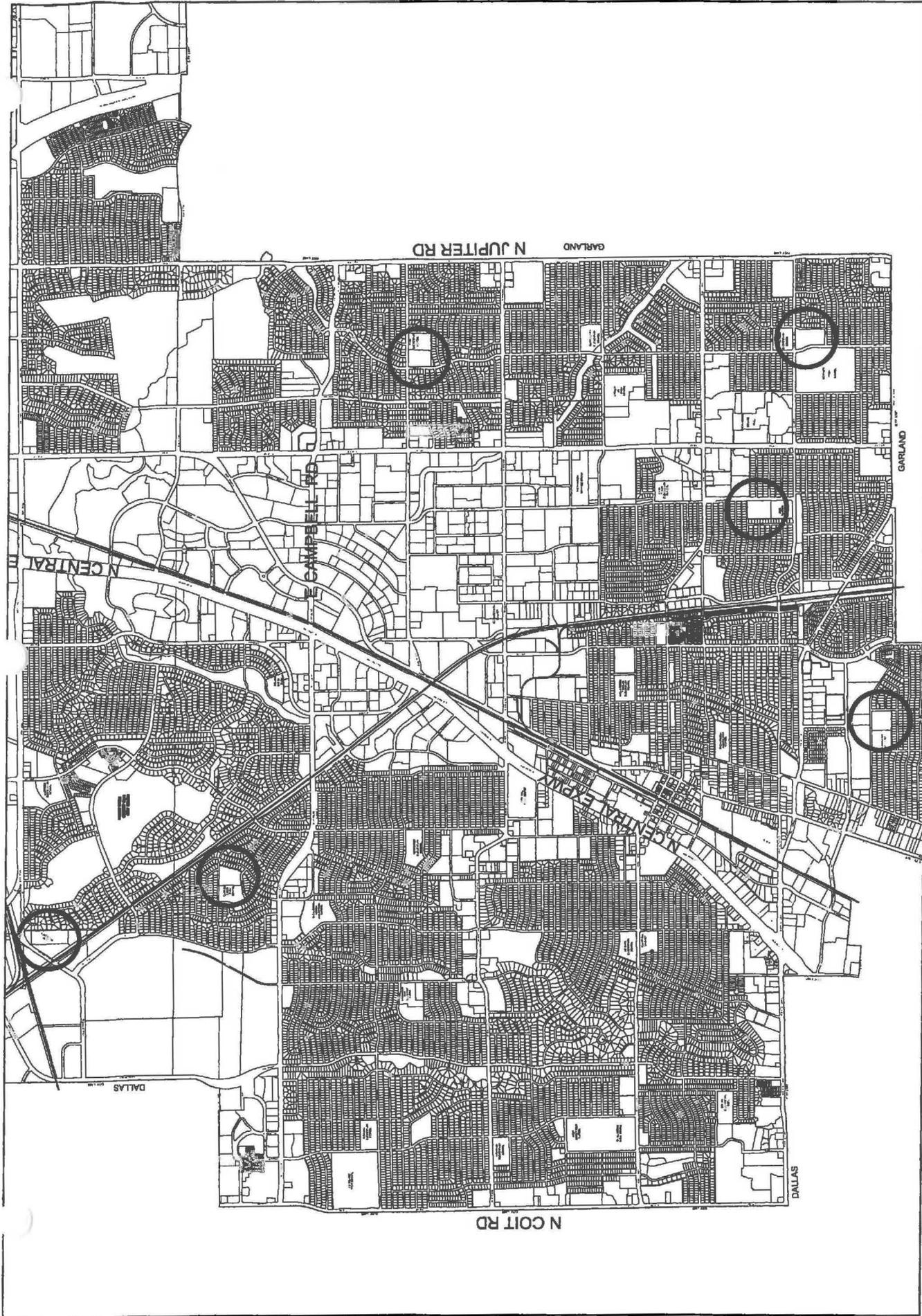
BID #27-11

Agenda Paperwork to Advertise	Friday, February 18, 2011
Council Authorization to Advertise	Monday, February 28, 2011
Plans/Specs Available for Contractors	Tuesday, March 1, 2011
Advertise in Daily Commercial Record	Wednesday, March 2, 2011
Advertise in Daily Commercial Record	Wednesday, March 9, 2011
Pre Bid Meeting (Room 206 - 2:00 a.m.)	Thursday, March 10, 2011
Bids Received & Opened (3:00 open @ 3:30 Room 206)	Thursday, March 17, 2011
Agenda Paperwork to Award Contract	Friday, March 18, 2011
Council to Award Contract	Monday, March 28, 2011
Pre-Construction Meeting	Early April 2011
Project Start	Mid April 2011
Project 210 Calendar Days (includes base & 3 alternates)	September 2011

Project Manager: Dan Baker/Bobby Kinser
Engineers Estimate: \$370,000
Account #s

011-3061-541-4359	\$10,000
231-3061-581-7102	PM 1123 \$130,000
231-3061-581-7102	PM 1110 \$68,000
227-3061-581-7102	PM 0701 \$8,610
228-3061-581-7102	PM 0801 \$168,742
229-3061-581-7102	PM 0901 \$60,206

TOTAL \$445,558



**PARK RENOVATION - IRRIGATION SYSTEMS
 (BERKNER PARK/RICHLAND PARK/GLENVILLE PARK)
 SPRING 2011**



**CITY OF
 RICHARDSON
 TEXAS**

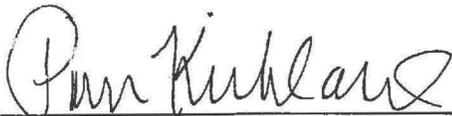
CITY OF RICHARDSON

TO: Bill Keffler - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 28-11
DATE: February 23, 2011

Request Council approval to initiate bids for the following:

Arborcrest Pedestrian Bridge at Prairie Creek

Proposed Council approval date: February 28, 2011
Proposed advertising dates: March 2, 2011 & March 9, 2011
Proposed bid due date: March 17, 2011 @ 2:00 p.m.
Proposed bid opening date: March 17, 2011 @ 2:30 p.m.
Engineer's estimated total cost: \$52,000
Account: 376-8702-585-7524, Project SD1044



Pam Kirkland, CPPO, CPPB
Purchasing Manager



Kent Pfeil
Director of Finance

2-23-11
Date

Approved: _____

Bill Keffler
City Manager

Date



MEMO

TO: Bill Keffler, City Manager
THROUGH: David Morgan, Assistant City Manager
FROM: Michael Massey, Director of Parks & Recreation
SUBJECT: Permission to Advertise Bid #28-11
Arborcrest Pedestrian Bridge at Prairie Creek
DATE: February 18, 2011

Mike

BACKGROUND INFORMATION:

This project consists of rebuilding the damage to decorative timber bridge trusses including replacement of damaged timber truss members, replacement of bent connection plates, temporary shoring of bridge beams, replacement of damaged reinforced concrete abutment and wingwall, reinstallation of one truss bearing support assembly, replacement of damaged pedestrian rail timber cap and reinstallation of the decorative bridge trusses. The existing timber trusses were damaged by a falling tree and were removed and stored in a fenced area adjacent to the bridge site.

FUNDING:

Funding is provided from 2005 GO Bonds Account 376-8702-585-7524 Project #SD-1044.

SCHEDULE:

Parks & Recreation plans to begin construction for this project late April 2011 and completed by July 2011.

Cc: Roger Scott, Assistant Director of Parks & Recreation
Dan Baker, Supt of Parks
Bobby Kinser, Assistant Parks Supt.
Office\Agenda\Executive\Adv\Irrigation System

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**ARBORCREST PEDESTRIAN BRIDGE AT PRAIRIE CREEK
BID #28-11**

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **2:00 pm, Thursday March 17, 2011** and will be opened and read aloud in the Capital Projects Department, Room 206, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

This project consists of rebuilding the damaged to the decorative timber bridge trusses including replacement of damaged timber truss members (4"x8", 6"x8", 8"x8"), bent connection plates, shoring of bridge beams, replacement of damaged reinforced concrete abutment and wingwall, reinstallation of one truss bearing support assembly, replacement of damaged pedestrian rail timber cap, and reinstallation of the decorative bridge trusses. The existing timber trusses were damaged by a falling tree and were removed and stored in a fenced area adjacent to the bridge site. The estimated quantities for the project bid include approximately 13 square feet of pavement removal/replacement, 3 cubic yards of unclassified excavation, removal and reinstallation of 17 linear feet of pedestrian railing, replacement of damaged truss timber members (75 linear feet of 4"x8", 21 linear feet of 6"x8", 38 linear feet of 8"x8"), straightening of four (4) bent truss steel connection plates, removal and replacement of 10 linear feet of pedestrian rail timber cap, break-back and removal of 21 square feet of damaged abutment/wingwall concrete, construction of 1.0 cubic yard of new reinforced Class C concrete abutment/wingwall including doweling to existing and backfilling, reinstallation of one truss bearing support assembly at rebuilt abutment, and reinstallation of two timber trusses and associated timber bracing. All truss timber members are treated and stained No. 1 Douglas Fir.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The notice of award of contract shall be given to the successful bidder within ninety (90) days following the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of sixty (60) calendar days will be allowed for construction.

One set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday March 1, 2011** upon a **NON-REFUNDABLE FEE OF Fifty Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number.

A MANDATORY pre-bid conference will be held **at 3:00 pm, Thursday March 10, 2011 in the Capital Projects Conference Room 206, Richardson Civic Center/City Hall.**

PROPOSED PROJECT SCHEDULE
ARBORCREST PEDESTRIAN BRIDGE AT PRAIRIE CREEK
BID #28-11

Agenda Paperwork to Advertise	Friday, February 18, 2011
Council Authorization to Advertise	Monday, February 28, 2011
Plans/Specs Available for Contractors	Tuesday, March 1, 2011
Advertise in Daily Commercial Record	Wednesday, March 2, 2011
Advertise in Daily Commercial Record	Wednesday, March 9, 2011
Pre Bid Meeting (Room 206 -3:00 p.m.)	Thursday, March 10, 2011
Bids Received & Opened (2:00 open @ 2:30 Room 206)	Thursday, March 17, 2011
Agenda Paperwork to Award Contract	Friday, March 18, 2011
Council to Award Contract	Monday, March 28, 2011
Pre-Construction Meeting	Early April 2001
Project Start	Late April 2011
Project 60 Calendar Days	July 2011

*Project Manager: Dan Baker/Bobby Kinser
Engineers Estimate: \$52,000
Account #376-8702-585-7524 Prj #SD-1044*



MEMO

DATE: February 21, 2011

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

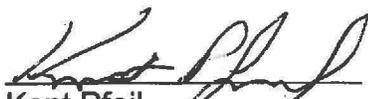
SUBJECT: Award of Bid #17-11 for the Richardson Animal Shelter Canine Expansion to R & S Commercial Services, L.P. in the amount of \$82,962.20, which includes Alternates 1 & 2

Proposed Date of Award: February 28, 2011

I concur with the recommendation of Joe Travers – Assistant Director of Public Services, and request permission to award a contract to the low bidder, C. Green Scaping, L.P., for the above referenced construction in the amount of \$82,962.20, which includes Alternate 1 for split face masonry and damp proofing and Alternate 2 for ceramic tile in Room 530.

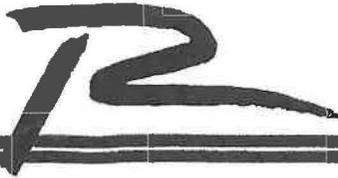
A total of \$85,000 was budgeted in account 378-8701-585-7524, Project #PB1001 for this expenditure. A prebid conference was held on February 7, 2011 and thirteen bids were solicited and eight bids were received.

Concur:


Kent Pfeil

ATTACHMENTS

Xc: Bill Keffer
Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



MEMO

TO: Bill Keffler, City Manager

THROUGH: Cliff Miller, Assistant City Manager *[Signature]*

FROM: Joe Travers, Assistant Director of Public Services *[Signature]*
 Jerry Ortega, Director of Public Services

SUBJECT: Award Bid #17-11 to R & S Commercial Services, LP
 Richardson Animal Shelter Canine Expansion

DATE: February 18, 2011

ACTION REQUESTED:

Council to consider award of Bid #17-11 to R & S Commercial Services, LP, for the Richardson Animal Shelter Canine Expansion for a total amount of \$82,962.20.

BACKGROUND INFORMATION:

On February 14, 2011, the Capital Projects Department opened bids for the subject project. The attached bid tabulation certifies that the apparent low bidder is R & S Commercial Services, LP, in the amount of \$82,962.20, as follows:

\$77,370.20	Base Bid with Contingency
1,920.00	Alternate 1-Provide split face masonry & damp proofing to match existing exterior
3,672.00	Alternate 2-Provide ceramic tile in room 530
\$82,962.20	Total Base Bid with Alternates 1 & 2

Staff as well as the Finance Department have reviewed R & S Commercial's Company financials, ratings for the bonding company, insurance company and references, and recommend awarding the Richardson Animal Shelter Canine Expansion to R & S Commercial Services, LP in the amount of \$82,962.20.

This project includes construction of an attached canine visitation room on the eastside of the Animal Shelter adjacent to the existing kennels. The new visitation area will enclose an existing courtyard area to provide a climate controlled and sound attenuated room for visitation prior to adoption of canines. Construction will include concrete masonry walls and a standing seam metal roof designed to match existing exterior building elements.

FUNDING:

Funding is provided from 2010 Public Buildings G.O. Bonds account 378-8701-585-7524 project PB1001.

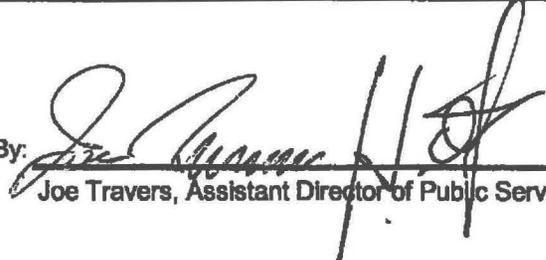
SCHEDULE:

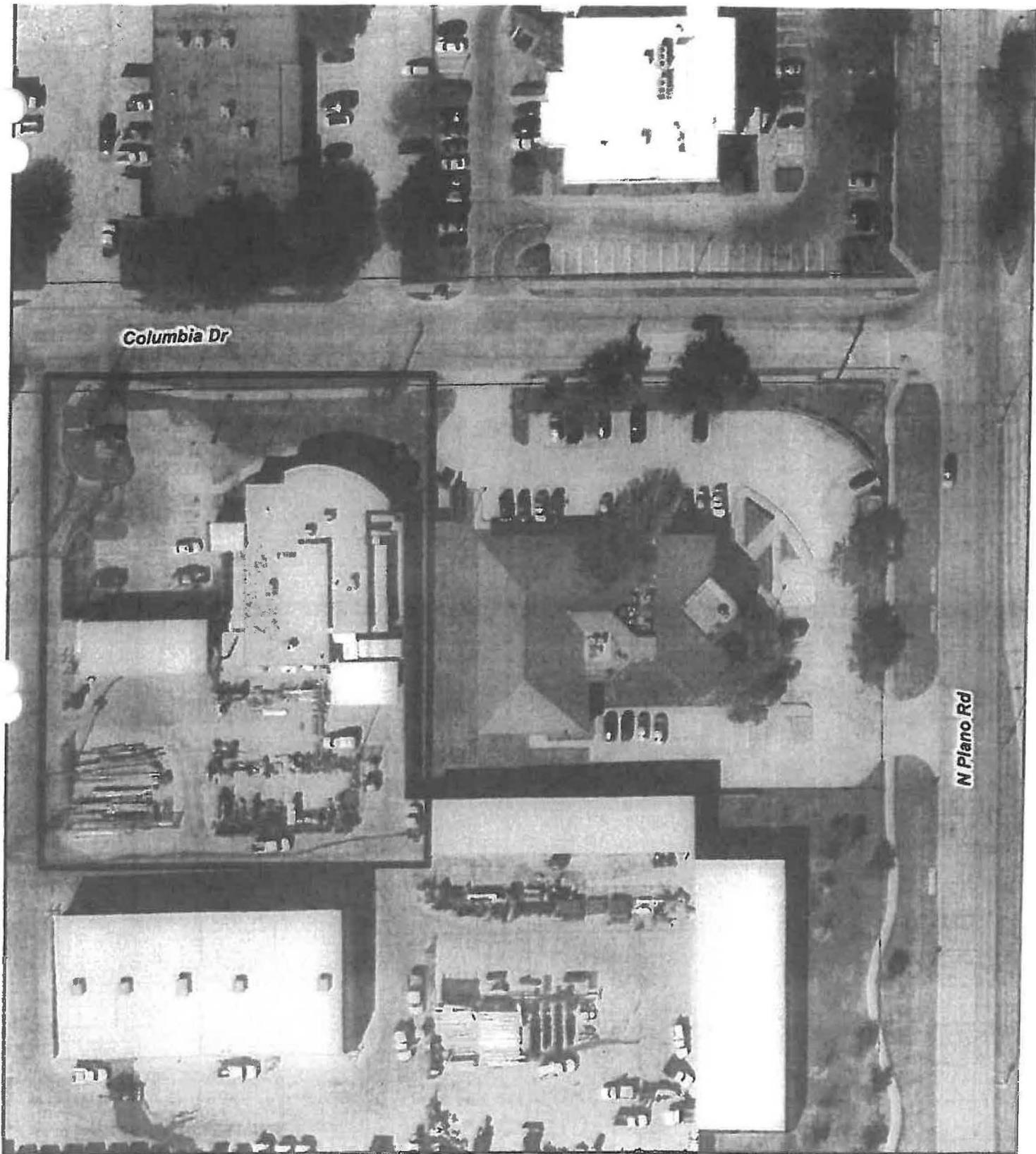
Public Services plans for this project to begin construction March 2011 and be completed by June 2011.

RICHARDSON ANIMAL SHELTER CANINE EXPANSION
BID NO. 17-11
MONDAY, FEBRUARY 14, 2011 @ 2:30

CONTRACTOR		Base Bid with Contingency	Amount of Increase/Decrease Alternate #1	Amount of Increase/Decrease Alternate #2	Total Base Bid with Alternates 1 & 2
1.	R & S Commercial Services, LP	\$77,370.20	\$1,920.00	\$3,672.00	\$82,962.20
2.	Concord Commercial Services, Inc.	\$77,200.00	\$4,269.00	\$4,166.00	\$85,635.00
3.	Cooper General Contractors	\$79,000.00	\$5,400.00	\$4,200.00	\$88,600.00
4.	MART, Inc.	\$91,900.00	\$3,200.00	\$0.00	\$95,100.00
5.	Phillip Gentry	\$98,600.00	\$2,287.00	\$8,875.00	\$109,762.00
6.	Schmoldt Construction	\$100,000.00	\$8,287.00	\$5,700.00	\$113,987.00
7.	DMG Construction	\$105,821.00	\$5,665.00	\$5,871.00	\$117,357.00
8.	Denco Construction Specialist	\$176,368.00	\$5,412.00	\$5,540.00	\$187,320.00

Consultants Engineer's Estimate: \$85,000

Certified By: 
 Joe Travers, Assistant Director of Public Services

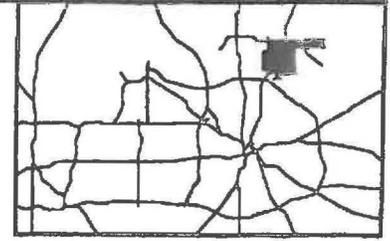
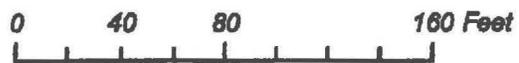


Columbia Dr

N Plano Rd



*Municipal Animal Shelter
1330 Columbia Dr
Richardson, Texas*





MEMO

DATE: February 22, 2011

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #30-11 for the co-op purchase of irrigation controllers and hydrometers for the Park Renovation - Irrigation Systems with Interspec, LLC for an estimated expenditure of \$72,621 through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #292-08 pursuant to unit prices

Proposed Date of Award: February 28, 2011

I concur with the recommendation of Bobby Kinser – Assistant Parks Superintendent to issue a purchase order for irrigation controllers and hydrometers from Interspec, LLC as per unit prices on the attached quotation.

The City is requesting permission on the February 28, 2011 agenda to initiate bids for the Park Renovation Irrigation Systems on Bid 27-11 where bids will close on March 17, 2011. The bid includes a base bid for Berkner, Canyon Creek and Yale Parks with Alternates for Richland, Glenville and Point North Parks. The City has determined it is most cost effective to purchase the irrigation controllers and hydrometers directly through Interspec, LLC at the unit costs outlined on the attached quotation. Additionally, there is a six week lead time on delivery of the equipment and we must place an order prior to March 23, 2011 to receive the unit prices quoted and expedite the delivery of the Base Bid items in time for the installation, once awarded by Council. We estimate the expenditure for the equipment for the Base Bid to be approximately \$36,998 and an estimated expenditure of \$35,623 for the Alternate, if awarded.

The above referenced products and services have been bid through the Texas Local Government Statewide Purchasing Cooperative (Buyboard) Contract #292-08. The City of Richardson is a member of the Texas Local Government Statewide Purchasing Cooperative through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Funding is available in account 229-3061-581-7102, Project #PM0901 for this expenditure.

Concur:

Kent Pfeil

Kent Pfeil

ATTACHMENTS

Xc: Bill Keffler
Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



MEMO

TO: Pam Kirkland
FROM: Bobby Kinser
DATE: 2-20-11
SUBJECT: Buyboard purchase increase through Interspec LLC for large City irrigation project

The Parks Department would like to purchase approximately \$72,621 of irrigation controllers and hydrometers from Interspec, LLC through BuyBoard contract #292-08, as per the unit costs on the attached quote. These Irrigation controllers and hydrometers will be used as owner supplied parts in conjunction with Bid # 27-11, Park Renovation Irrigation Systems, which is scheduled to be award by Council in March, 2011. The estimated cost for irrigation controllers and hydrometers for the base bid is \$36,998 and the estimated cost for the alternate bids, if awarded, will be \$35,623.

Please use account #229-3061-581-7102, Project # PM 0901.

Interspec LLC

9810 Liberty Road
 Aubrey, TX 76227
 USA

Voice: 940-440-9757
 Fax: 940-440-9759



**WATER MANAGEMENT
 SOLUTIONS**

QUOTATION

Quote Number: 33466
 Quote Date: Feb 21, 2011
 Page: 1

Quoted To:	
City of Richardson	972-744-4470
P.O. Box 830309	Fax# 972-744-5813
Richardson, TX 75083-0309	
USA	

Steve

Customer ID	Good Thru	Payment Terms	Customer Number
Richardson	3/23/11	Net 30 Days	100590

Quantity	Item	Description	Unit Price	Amount
1.00	IS-A2A-V1N-RN-SS	Buy Board contract 292-08 IRRI net ACE AC 32/16 with VHF Communications and Remote UHF Radio in Green Stainless Steel Pedestal with Surge Protection	10,220.00	10,220.00
1.00	IS-A3A-V1N-RN-WS	IRRI net ACE AC 48/16 with VHF Communications and Remote UHF Radio in Custom Wall Mount Enclosure with Surge Protection	11,050.00	11,050.00
1.00	IS-R5A-IU-SS	IRRI net-M AC 40/10, INTRAC Protocol; UHF Radio in Green Stainless Steel Pedestal with Surge Protection. Talks to IRRI net	8,650.00	8,650.00
1.00	IS-BM-20-AC-10	2" Arad AC Meter 1pulse = 10 gallons	632.00	632.00
1.00	IS-BM-30-AC-10	Meter, Arad, 3" AC, 1=10	1,081.00	1,081.00
1.00	IS-BM-40-AC-100	Meter, Arad, 4" AC, 1=100	1,673.00	1,673.00
1.00	IS-A4A-V1N-RN-SS	IRRI net ACE AC 64/16 with VHF Communications and Remote UHF Radio in Green Stainless Steel Pedestal with Surge Protection	11,880.00	11,880.00
1.00	IS-R4A-CV-SS	IRRI net M AC 48 Station, with VHF CM200 Radio, in Large Green Stainless Steel Enclosure with Surge protection	6,600.00	6,600.00
			Subtotal	51,786.00
			Sales Tax	
			TOTAL	51,786.00



**City of Richardson
City Council Meeting
Agenda Item Summary**



Meeting Date: Monday, February 28, 2011

Agenda Item: Review and Discuss Item Listed on the City Council Meeting Agenda

Staff Resource: Bill Keffler, City Manager

Summary: The City Council will have an opportunity to preview and discuss with City Staff the agenda items that will be voted on at the City Council Meeting immediately following the Work Session.

Board/Commission Action: Various, if applicable.

Action Proposed: No action will be taken.



**City of Richardson
City Council Worksession
Agenda Item Summary**



Worksession Meeting Date: Monday, February 28, 2011

Agenda Item: Radio System Updates and Action

Staff Resource: Steve Graves, Chief Information Officer

Summary: Steve Graves will be on hand to present a status update on the construction of, and activities related to, the new City radio system. The Information Services staff is heavily involved in a wide variety of activities related to the construction of this mission-critical system. Of particular importance, is the current zoning activity relating to our request to build a monopole tower to support radio communications in the panhandle area.

Board/Commission Action: City Planning Commission approved ZF11-03

Action Proposed: Information Services requests approval of special zoning permit to construct a monopole tower, and change the zoning of the water district site in accordance with zoning case ZF11-03 as approved by the CPC.





**City of Richardson
City Council Worksession
Agenda Item Summary**



Worksession Meeting Date: Monday, February 28, 2011

Agenda Item: Review and Discuss Fire Station #4 Construction Project

Staff Resource: Alan Palomba, Fire Chief
Jim Dulac, Senior Project Engineer

Summary: City staff will provide an overview of the Fire Station #4 Project, which includes an overview of the building design and site plan.

Board/Commission Action: N/A

Action Proposed: N/A



**City of Richardson
City Council Worksession
Agenda Item Summary**



Worksession Meeting Date: Monday, February 28, 2011

Agenda Item: Review and Discuss the West Spring Valley Corridor Reinvestment Strategy Overview

Staff Resource: Don Magner, Director of Community Services

Summary: City staff will provide an update on current activities related to the West Spring Valley Corridor Reinvestment Strategy. The presentation will include transportation and pedestrian improvements, the Clean and Safe Program, and communication strategies. The objective of the West Spring Valley Corridor Reinvestment Study is to create a redevelopment and reinvestment strategy for the study area that reflects an understanding of community goals, market realities, physical constraints, political priorities, and public and private financial resources.

Board/Commission Action: N/A

Action Proposed: N/A



**City of Richardson
City Council Worksession
Agenda Item Summary**



Worksession Meeting Date: Monday, February 28, 2011

Agenda Item: Review and Discuss the 2010-2011 First Quarter Financial Report

Staff Resource: Gary Beane, Budget Officer
Michelle Thames, Assistant City Manager

Summary: Consistent with the City Council's goal of "Fiscal Responsibility" City Staff will report on the first quarter financial activities across the five major operating funds including the General Fund, Water and Sewer Fund, Solid Waste Services Fund, Hotel Motel Tax Fund and Golf Fund. This report will detail revenue and expenditure performance from October 1, 2010 through December 31, 2010.

Board/Commission Action: N/A

Action Proposed: Review and Discuss the 2010-2011 First Quarter Financial Report



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, February 28, 2011

Agenda Item: 2011 Texas Legislative Session Update

Staff Resource: E.A. Hoppe, Assistant to the City Manager

Summary: The City Council will review and discuss the 2011 City of Richardson Legislative Agenda and the 82nd Texas Legislative Session.

Board/Commission Action: N/A

Action Proposed: Review and discuss



**City of Richardson
City Council Meeting
Agenda Item Summary**



Meeting Date: Monday, February 28, 2011

Agenda Item: Items of Community Interest

Staff Resource: Bill Keffler, City Manager

Summary: 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 of Richardson 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 the posting of the agenda.

Board/Commission Action: NA

Action Proposed: No action will be taken.



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



Work Session Meeting Date: Monday, February 28, 2011

Agenda Item: Executive Session

Staff Resource: Bill Keffler, City Manager

Summary: The Council will convene into a closed session in compliance with Texas Government Code Section 551.071 – Consultation with City Attorney regarding land use and development regulations for West Spring Valley Corridor.

Board/Commission Action: N/A

Action Proposed: Council will reconvene into open session to take any action, if any, on matters discussed in executive session.

