

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

1. **INVOCATION – AMIR OMAR**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – AMIR OMAR**
 3. **MINUTES OF THE NOVEMBER 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 ENVIRONMENTAL ADVISORY COMMISSION, LIBRARY BOARD, PARKS AND RECREATION COMMISSION, SIGN CONTROL BOARD, AND TAX INCREMENT FINANCE ZONE #2 AND #3 BOARD OF DIRECTORS.

ACTION TAKEN:

PUBLIC HEARING ITEMS:

6. PUBLIC HEARING AND CONSIDER ORDINANCE NO. 3843, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 23, TO ADD ARTICLE VIII MUNICIPAL DRAINAGE UTILITY SYSTEM, TO ESTABLISH A MUNICIPAL DRAINAGE UTILITY SYSTEM; PROVIDING FOR DRAINAGE SERVICE, BILLING, EXEMPTIONS, DRAINAGE CHARGES AND APPEALS.

ACTION TAKEN:

7. PUBLIC HEARING AND CONSIDER RESOLUTION NO. 11-33, ADOPTING THE MUNICIPAL DRAINAGE UTILITY SYSTEM SCHEDULE OF CHARGES; AND ESTABLISHING CHARGES FOR MUNICIPAL DRAINAGE UTILITY SYSTEM SERVICES.

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. 3846, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FOR A 1.41-ACRE TRACT OF LAND FROM LR-M(1) LOCAL RETAIL WITH SPECIAL CONDITIONS, O-M OFFICE WITH SPECIAL CONDITIONS, AND A-950-M APARTMENT TO LR-M(1) LOCAL RETAIL WITH SPECIAL CONDITIONS.

2. ORDINANCE NO. 3847, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES BY AMENDING ARTICLE XI BY INCREASING THE ANNUAL AND RENEWAL REGISTRATION FEE FOR RENTAL UNITS; PROVIDING FOR A RE-INSPECTION FEE; AND PROVIDING FOR HABITABILITY SCORES FOR RENTAL UNITS.
- B. CONSIDER ADVERTISEMENT OF COMPETITIVE SEALED PROPOSAL #901-12 – FLOYD BRANCH STORM DRAIN IMPROVEMENTS (GREER TO KAUFMAN OUTFALL & PHILLIPS BRIDGE REPLACEMENT). COMPETITIVE SEALED PROPOSALS TO BE RECEIVED BY TUESDAY, JANUARY 10, 2012 AT 2:00 P.M.
 - C. CONSIDER AWARD OF BID #06-12 – WE RECOMMEND THE AWARD TO JIM BOWMAN CONSTRUCTION COMPANY FOR THE 2012 ANNUAL REQUIREMENTS CONTRACT FOR STREET REHABILITATION PURSUANT TO THE ATTACHED UNIT PRICES.

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, NOVEMBER 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 Fiscal Year 2010 – 2011 Year End Financial Report
 - C. Review and Discuss the Cultural Arts Master Plan Public Input Process
 - D. Review and Discuss the Galatyn Parkway Overpass Extension Project
 - E. 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
 - Regarding Oncor Electric City Franchise Agreement
- 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 WEDNESDAY, NOVEMBER 23, 2011, BY 5:00 P.M.

CITY SECRETARY

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

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, November 14, 2011 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka	Mayor Pro Tem
Mark Solomon	Council member
Scott Dunn	Council member
Kendal Hartley	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
Samantha Woodmancy	Management Analyst
Vickie Schmid	Deputy City Secretary
Michael Spicer	Director of Development Services
Michael Massey	Director of Parks and Recreation
Greg Sowell	Director of Communications

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1. **INVOCATION – LAURA MACZKA**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – JACK HUNTRESS AND AVERY SMITH - BOY SCOUT TROOP 719**
 3. **MINUTES OF THE OCTOBER 24, 2011 REGULAR MEETING AND NOVEMBER 7, 2011 WORK SESSION**

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

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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.)* **None**

PUBLIC HEARING ITEMS:

5. **PUBLIC HEARING, ZONING FILE 11-19: A REQUEST BY ROY L. WILSHIRE, REPRESENTING KIMLEY-HORN AND ASSOCIATES, INC. FOR A CHANGE IN ZONING FROM LR-M(1) LOCAL RETAIL AND O-M OFFICE WITH SPECIAL CONDITIONS AND A-**

950-M APARTMENT TO LR-M(1) LOCAL RETAIL WITH MODIFIED DEVELOPMENT STANDARDS FOR PROPERTIES LOCATED AT 314, 318 AND 320 E MAIN STREET AND 335 AND 337 E POLK STREET (SOUTH SIDE OF MAIN STREET AND NORTH SIDE OF POLK STREET, WEST OF ABRAMS ROAD).

Mr. Keffler advised that the site was 1.4 acres located along Belt Line Road and Polk Street. He stated that the Afrah restaurant site was currently 5,000 s.f. and the proposed development would increase building square footage to 17,000 s.f., including a new restaurant building, market center and plaza areas. He advised that the Plan Commission reviewed the case on October 18 and recommended approval with a 7-0 vote. He asked Michael Spicer, Director of Development Services, to brief the Council.

Mr. Spicer noted that the proposed site was located within the Downtown Main Street Enhancement Area, which encourages pedestrian-oriented development; and he said that rezoning of the five lots (three facing Belt Line and two facing Polk) would allow cohesive redevelopment of the property with an urban design. He said the applicant proposes a 8,400 s.f. restaurant and 8,600 s.f. market area with enhanced pavement between buildings that can be utilized as a mezzanine for special events. Additional key features include reduced front setbacks, 9' amenity zone, pedestrian-friendly sidewalks, 13% landscape area, patio dining, dedicated 6' Right-of-Way for a deceleration lane, 25' corner clip along Main Street, and water and fire elements in the outdoor restaurant area. Mr. Spicer advised that building elevations indicated well articulated facades on all four sides of the proposed structures. He stated that the applicant had taken the recently approved West Spring Valley Corridor development guidelines into consideration when developing plans for this site to encourage continuity between neighborhoods.

In response to Mr. Omar's question, Mr. Spicer advised that a tree inventory would be required with development plan submission, preserving 6" or greater trees where possible. He also advised that trees were located 40' on center along Main Street and that the site, landscape, and development plans would go before the Plan Commission for review and approval.

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

Roy Wilshire, Kimley-Horn, 12700 Park Central Drive, Dallas, TX, introduced the property owners and his development team. He stated that Afrah Restaurant was a successful family business that now has an opportunity to create a new market/grocery to support the neighborhood. Mr. Wilshire felt this development would be a catalyst for redevelopment in the Downtown Main Street area. He advised that construction would take place in phases; phase one – construct new parking lot along Polk and demolish the existing office building; phase two – build the new restaurant building; and phase three – demolish the old restaurant building and build the market structure. Mr. Wilshire noted that this proposal would replace the current apartment zoning with Local Retail zoning featuring strong urban design elements.

Lisa Swift, GSO, 5310 Harvest Hill Road, Dallas, TX, felt this project would bring the community together and would spur development of the downtown area. She stated that the building design illustrates a Mediterranean style, with a mix of stone, tile, brick and non-masonry cornice elements. Ms. Swift added that a shaded patio, covered walkways, and enhanced pavement materials would help to create a vibrant pedestrian plaza area.

In response to questions from the Council, Mr. Wilshire estimated the start of the first phase of this project to begin approximately nine months after securing approval of development plans;

and he clarified that the decorative lighting interior to the site would also be utilized along the street.

Mr. Omar made a motion to close the public hearing; second by Mr. Hartley. The motion was approved with a unanimous vote.

ACTION TAKEN: Mr. Solomon made a motion to recommend approval of Zoning File 11-19; second by Mr. Mitchell. The motion was approved with a unanimous vote.

Mr. Keffler confirmed that approval of Zoning File 11-19 as presented included the conditions recommended by the City Plan Commission, unless specifically stated otherwise.

Mayor Townsend advised that Items 6. and 7. were related items and would be considered together.

6. PUBLIC HEARING AND CONSIDER ORDINANCE NO. 3844, DESIGNATING A CERTAIN AREA WITHIN THE CITY OF RICHARDSON, TEXAS, AS TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO, CITY OF RICHARDSON, TEXAS, TO BE IDENTIFIED AS REINVESTMENT ZONE NO. TWO, CITY OF RICHARDSON, TEXAS ALSO KNOWN AS THE BUSH/75 PARTNERS ZONE; ESTABLISHING THE BOUNDARIES OF SUCH ZONE; CREATING A BOARD OF DIRECTORS FOR SAID REINVESTMENT ZONE AND OTHER MATTERS RELATED THERETO.

7. PUBLIC HEARING AND CONSIDER ORDINANCE NO. 3845, DESIGNATING A CERTAIN AREA WITHIN THE CITY OF RICHARDSON, TEXAS, AS TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER THREE, CITY OF RICHARDSON, TEXAS, TO BE IDENTIFIED AS REINVESTMENT ZONE NO. THREE, CITY OF RICHARDSON, TEXAS ALSO KNOWN AS THE CARUTH ZONE; ESTABLISHING THE BOUNDARIES OF SUCH ZONE; CREATING A BOARD OF DIRECTORS FOR SAID REINVESTMENT ZONE AND OTHER MATTERS RELATED THERETO.

Mr. Keffler stated that early in 2011, zoning was approved for approximately 200 acres of property owned by the Parliament Group and Caruth Properties Group, anticipating future consideration of these properties for inclusion in a Tax Increment Financing (TIF) area under Chapter 313 of the Local Government Code to perpetuate infrastructure development. He noted that Public Hearings, as required by the TIF Act, would be conducted simultaneously for Ordinance No. 3844 (TIF Zone Two) and Ordinance No. 3845 (TIF Zone Three), public testimony would be taken, after which the public hearings would be closed, and each ordinance would be considered and decided separately. He asked Dan Johnson to brief the Council.

Mr. Johnson said the City has been active in assessing a structured way to participate in infrastructure development needed for these properties. He stated that staff has evaluated a variety of options and that Tax Increment Financing emerged as a viable tool with features and formats that can be strategically applied to these areas. Mr. Johnson advised that Chapter 311 of the State Tax Code provided guidelines for establishing TIF Zones and that the proposed zones are in compliance with the Code. He said that at the October 3 meeting, implementation of TIF zones were tied to Council Goals relative to Finance and Development; background on the properties outlining infrastructure needs, public facility requirements and development impact was provided; and the concept of two TIF Zones was discussed. Developing two TIF Zones would allow each of the key developments to look to their Zone for reimbursement. Mr. Johnson stated that in addition to the City's tax consideration, the Tax Code allows for

participation by other taxing entities. He noted that the viable taxing entities for these properties have shown interest in participating and that discussions with Collin County, Plano ISD, and Collin County College are ongoing. Mr. Johnson noted that in compliance with Chapter 311, Project & Financing Plans were developed for each of the TIF Zones and a summary of the contents of each of the plans was presented on November 7; with the summary presentation complete, the TIF Zone plans were ready to move forward to tonight's public hearings.

Mr. Johnson stated that these zones encompassed approximately 300 acres around the US75/President George Bush area, providing an exciting future development horizon and a structured way to have City involvement focused in the area. He felt the DART Red Line and future Cottonbelt Rail line provided a unique area for Transit Oriented Development opportunities and helped establish advanced form-based zoning regulations for the area.

Mr. Johnson reiterated that developing these TIF zones would:

- Stimulate quicker development schedules;
- Focus on early infrastructure support to allow financial viability;
- Set a strong development tone with the initial phase;
- Allow structured public participation support;
- Avoid future G.O. Bond Program impact;
- Advance the Cottonbelt Rail development schedule and Bush Station selection;
- Contract as reimbursement-based funding;
- Separate TIF zones to allow each development team a motive to **reimbursement only form** their increment additions; and
- Place risks of development pace for repayment with the developer.

Mr. Johnson felt it was important to note that there are no fronted dollars from the City for development considerations and he reiterated that the two zones included reimbursement-based funding structures. He said the risk remains with the developer to create the level of value additions, to create the increment, to create the ability, to be reimbursed. Mr. Johnson added that the fund was increment revenue was based on incremental real revenue. He advised that the plan allows the City to maintain base real property taxes, all unallocated real property taxes not devoted to the TIF, all business property taxes, sales tax, hotel/motel tax; and franchise tax, which should be considerable in this area.

Mr. Johnson summarized by stating the base property value for TIF Zone Two and Three would be the 2011 tax year value and would be a 25-year TIF focused on real property taxes. He stated that the Council will take action at a future meeting to appoint a Board of Directors for TIF Zone Two and TIF Zone Three, which is anticipated to be the current TIF Board. Mr. Johnson noted that in preparation for this meeting staff was required to provide Notice of this Public Hearing, which has been done in a variety of ways, going beyond the minimum legal requirement by publishing notice in the November 4, 2011 Dallas Morning News, and posting on the City's website, the Public Meetings agenda board, and the Mayor's Week In Review. He confirmed that the property owners were actively seeking development teams and he felt both sides were ready to move forward quickly in a strong and exciting direction.

Mayor Townsend opened the public hearing and invited speakers to the podium. There were no speakers.

Mr. Omar made a motion to close the public hearing; second by Ms. Maczka. The motion was approved with a unanimous vote.

ACTION TAKEN: Mr. Omar made a motion to recommend approval of Ordinance No. 3844; second by Mr. Hartley. The motion was approved with a unanimous vote.

ACTION TAKEN: Mr. Mitchell made a motion to recommend approval of Agenda Item 7 (Ordinance No. 3845); second by Ms. Maczka. The motion was approved with a unanimous vote.

ALL ITEMS LISTED UNDER ITEM 5 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:

ACTION TAKEN: Mr. Omar moved approval of the Consent Agenda; second by Mr. Hartley and the motion was approved with a unanimous vote.

A. Approve the following resolutions:

1. Resolution No. 11-34, Naming certain property owned by the City as McKamy Spring Park.
2. Resolution No. 11-35, casting its vote for a Member of the Board of Directors of the Central Appraisal District of Collin County.
3. Resolution No. 11-36, casting its vote for the fourth Member of the Board of Directors of the Dallas Central Appraisal District.
4. Resolution No. 11-37, approving a Memorandum of Understanding between the City of Richardson, Texas and the University of Texas at Dallas for Cooperative Campus Development and Adjacent Land Use Support Program; authorizing the City Manager to enter into the Memorandum of Understanding on behalf of the City of Richardson, Texas with the University of Texas at Dallas; authorizing the City Manager to negotiate and execute an Interlocal Cooperation Agreement on behalf of the City of Richardson with the University of Texas at Dallas consistent with the Memorandum of Understanding, and any other documents, easements, licenses, or leases related thereto.

B. Award of the following bids:

1. Bid #13-12 – Issue a Co-op Purchase Order to Bond Equipment Company, Inc., for four (4) crane carrier corporation cab-over/chassis for rearloader refuse trucks for the Solid Waste Department through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #358-10 in the amount of \$575,104.
2. Bid #14-12 – Issue a Co-op Purchase Order to McNeilus Truck & Manufacturing Company, Inc., for four (4) McNeilus (17) cubic yard rearloader refuse bodies with accessories for the Solid Waste Department through the Texas Local

Government Statewide Purchasing Cooperative Buyboard Contract #357-10 in the amount of \$220,212.

3. Bid #15-12 – Issue a Purchase Order to Qwest Communications, LLC. dba Centurylink for the internet circuit and ISP provider through the State of Texas Department of Information Services Contract #DIR-TEX-An-NG-CTSA-004 for an annual expenditure of \$94,360.08 annually.

There being no further business, Mayor Townsend adjourned the meeting at 9:02 p.m.

MAYOR

ATTEST:

DEPUTY CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, November 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, November 28, 2011

Agenda Item: Consider appointments to the Environmental Advisory Board, Parks & Recreation Commission, Sign Control Board, Library Board, Hospital Board, TIF Board Zone #2, and TIF Board Zone #3.

Staff Resource: Bill Keffler, City Manager

Summary: The City Council met on November 14 and November 21 to discuss appointments to various boards and commissions. This item is set to provide Council the opportunity to take action regarding the various appointments.

Board/Commission Action: N/A

Action Proposed: Take action making appointments to the various boards and commissions.

ORDINANCE NO. 3843

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 23, TO ADD ARTICLE VIII MUNICIPAL DRAINAGE UTILITY SYSTEM, TO ESTABLISH A MUNICIPAL DRAINAGE UTILITY SYSTEM; PROVIDING FOR DRAINAGE SERVICE, BILLING, EXEMPTIONS, DRAINAGE CHARGES AND APPEALS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A CRIMINAL PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Richardson, Texas, has investigated and determined that it would be advantageous and beneficial to the citizens of the City to promote the public health, safety and welfare of the citizens to adopt a Municipal Drainage Utility System; and

WHEREAS, the City Council further investigated and determined that it would be in the best interest of the citizens to adopt the Municipal Drainage Utility Systems Act as set forth in Chapter 552, Subchapter C, Texas Local Government Code, as amended ("Act"); and

WHEREAS, the City Council hereby adopts the Act and incorporates it herein in its entirety for all purposes; and

WHEREAS, the City Council finds that the drainage of the City is a public utility within the meaning of the Act; and

WHEREAS, the City Council further finds that the City will establish a schedule of drainage charges against all real property in the proposed service area(s) which included the entire City subject to charges under this Ordinance; and

WHEREAS, the City Council further finds that the City will provide drainage for all real property in the proposed service area(s) on payment of drainage charges, except real property exempted under the Act or pursuant to this Ordinance; and

WHEREAS, the City Council further finds that the City will offer drainage service on nondiscriminatory, reasonable and equitable terms; **NOW THEREFORE**,

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

SECTION 1. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. That Chapter 23 of the Code of Ordinances of the City of Richardson, Texas, is amended by adding Article VIII, Municipal Drainage Utility System, to read as follows:

“ARTICLE VIII. Municipal Drainage Utility System

Sec. 23-305. Municipal Drainage Utility System Established.

The Municipal Drainage Utility Systems Act, Chapter 552, Subchapter C, Texas Local Government Code, as amended (the "Act"), is hereby adopted and shall be fully implemented as provided by the Act and by the City Council; and the drainage of the City is hereby found to be a public utility within the meaning of the Act.

Sec. 23-306. Drainage Service Provided.

The City will provide storm water drainage for all real property within its boundaries upon payment of the determined drainage charges, as defined in the Act, and excluding property exempt under the Act and certain exempted real property by the City, and that the fees, assessments, and charges will be based on nondiscriminatory, reasonable and equitable terms. The drainage charges established herein shall be for all non exempt benefitted property as defined in the Act within the City drainage system

Sec. 23-307. Billing for Drainage Service.

The City is hereby authorized to bill the drainage charges incurred as a result of the adoption of the Act and through the establishment of the municipal drainage utility system. The drainage charge shall be separately identified from other public utility billings. Revenues generated through the drainage charges authorized herein shall be classified as committed resources according to the City Financial Policies, as amended. Drainage charges may only be expended for the costs of service as defined by the Act.

Sec. 23-308. Authority to Levy Drainage Charges.

The City may levy a schedule of drainage charges upon satisfaction of the procedural requirements provided in the Act and this Article. Prior to the levy of any drainage charges, the City Council shall conduct a public hearing on the drainage charges pursuant to the Act. Prior to adoption of this Article the City Council found and determined: that the City will establish a schedule of drainage charges against all real property in the proposed area which includes the entire City subject to the charges under the Act; the City will provide drainage for all real property in the proposed service area on payment of the drainage charges, except real property exempt under the Act; and the City will offer drainage service on nondiscriminatory, reasonable, and equitable terms.

Sec. 23-309. Exemptions Authorized.

The City is authorized to exempt certain property, entities or persons from all ordinances, resolutions, and rules which the City may adopt from time to time in connection with the adoption of the Act and the establishment of its municipal drainage utility system. Any exemptions to the drainage charges established herein other than the exemptions required by the Act shall be set forth in the drainage charge schedule.

Sec. 23-310. Charges.

(a) The City Council shall, following the adoption of this Article, establish a drainage charge schedule, by resolution of the City Council, from time to time, for charges which shall be collected through the City's bill for public utilities pursuant to the Act and other applicable law. There shall be a drainage charge on each monthly public utility statement for the City drainage system as set forth in the drainage charge schedule. The City Manager, or designee, is authorized to collect such charges in a manner consistent with the City Charter, the Act and this Article. The drainage charges shall be a separate line item on the public utility statement, and shall be clearly identified as a separate charge. Except, as otherwise provided herein, the billing, charges and collection procedures shall be consistent with City collection procedures for the water and sewer services.

(b) The drainage charges established pursuant to this Article will apply to the accounts maintained by the City for public utility services.

(c) All billings, credits, exemptions and other procedures relating to drainage charges established pursuant to this Article shall be subject to the provisions of the Act and other applicable law.

(d) A deposit for the drainage services as a precondition to accepting surface flow from benefited property into the City drainage utility system shall not be required. All real property of the City will be provided with drainage utility system service on timely payment of drainage charges established herein.

Sec. 23-311. Appeals.

(a) Billing and payment disputes for administrative issues relating to the drainage charges shall be subject to appeals procedures used by the City for other public utility billing disputes. A person or entity that owns or occupies a benefitted property may appeal the drainage charges established herein pursuant to this procedure set forth in this section.

(b) Appeals for the following reasons shall be directed to the Director of Finance for evaluation and determination. An appeal shall be in writing and submitted to the Director of Finance within thirty (30) days after the public utility billing statement containing the matter to be disputed. During all periods of appeal the person or entity who owns or occupies the benefitted property and/or the account holder shall be responsible for payment of the charges in full:

- (1) exempt property has been assessed a drainage charge;
- (2) drainage charge for an individual property is assessed on more than one public utility account; or
- (3) drainage charge is assessed to individual property outside the City's jurisdictional area.

(c) The Director of Finance shall render a written decision on such appeals within thirty (30) days after receiving a timely written notice of appeal from the person or entity who owns or occupies the benefitted property and/or the account holder. The Director of Finance shall deliver a copy of the appeal decision to the person or entity who owns or occupies the benefitted property and/or the account holder by US mail to the address of the landowner/account holder according to the most recent records in the possession of the City.

(d) Appeals for claims that the drainage charge for an individual property is based on an incorrect determination of the property's contribution to the drainage utility system, as established in the City drainage charge schedule shall be directed to the Director of Engineering for evaluation and determination. An appeal pursuant to this section 23-311 (d) shall be in writing and submitted to the Director of Engineering within thirty (30) days after the public utility billing statement containing the matter to be disputed. During all periods of appeal the person or entity who owns or occupies the benefitted property and/or the account holder shall be responsible for payment of the charges in full.

(e) Any person or entity who owns or occupies the benefitted property and/or the account holder who disagrees with the decision of the Director of Finance or the Director of Engineering, as the case may be, may appeal such decision to the City Manager in writing within ten (10) days after receipt of the decision of the Director of Finance or the Director of Engineering, as the case may be. The decision of the City Manager shall render a written decision within thirty (30) days after receipt of a timely appeal. The decision of the City Manager shall be final.

Sec. 23-312. Credits.

(a) A property owner may petition to the City to reduce the drainage charge fee for an individual property to account for on-site storm water management controls that reduce the property's impact to the drainage utility system.

(b) The petition will be evaluated and the fee adjustment decision determined by the Director of Engineering. The Director of Engineering's evaluation and determination shall be based on nondiscriminatory, reasonable, and equitable terms and shall be based solely on storm water-related factors.

Sec. 23-313. Penalties; Enforcement.

Failure to pay the drainage charges promptly when due shall subject such user to discontinuance of any public utility services provided by the City, in accordance with the procedures adopted by the city for discontinuance of any City public utility service including water and/or sewer service and other applicable laws.”

SECTION 3. 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 4. 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 5. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

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

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:10-20-11 TM 51850)

CITY SECRETARY

RESOLUTION NO. 11-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ADOPTING THE MUNICIPAL DRAINAGE UTILITY SYSTEM SCHEDULE OF CHARGES; ESTABLISHING CHARGES FOR MUNICIPAL DRAINAGE UTILITY SYSTEM SERVICES; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted the Municipal Drainage Utility System Act, Subchapter C of Chapter 552 of the Texas Local Government Code (the “Act”); and

WHEREAS, Chapter 23, Article VIII of the Code of Ordinances authorizes the City Council to adopt a schedule of charges for municipal drainage utility services; and

WHEREAS, the City Council desires to adopt the Drainage Utility System Schedule of Charges and establish the drainage charges for the City drainage utility services; and

WHEREAS, the City Council has conducted a public hearing on the adoption of Drainage Utility System Schedule of Charges after notice as required by the Act;

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

SECTION 1. That the City Council hereby finds that the Drainage Utility System Schedule of Charges is related to the drainage and the terms of the levy and any classification of the benefitted properties in the City and are nondiscriminatory, equitable and reasonable; the schedule of charges is based on an inventory of the lots and tracts within the proposed service area which is the entire City; the schedule of charges gives consideration to the land use made of the benefitted properties, the size in area, the number of water meters, and topography of a parcel of benefitted property in assessing the drainage charges to property.

SECTION 2. That the City Council hereby adopts the Drainage Utility System Schedule of Charges attached as Exhibit “A” hereto.

SECTION 3. That all provisions of the resolutions of the City of Richardson, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

SECTION 4. That this Resolution shall take effect immediately from and after its passage, provided; however, the drainage charges established herein shall take effect on February 1, 2012.

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

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY
(PGS:10-20-11:TM 51514)

CITY SECRETARY

Exhibit “A”
Drainage Charge Schedule

The following charges shall apply to all benefitted property as defined by the Municipal Drainage Utility Systems Act, as amended, (the “Act”) according to property type within the City, unless exempt from such charges pursuant to the Act or as set forth herein.

Single Family Residential Property

Lot size less than 7,500 square feet: \$2.75 per month

Lot size 7,500 up to 15,000 square feet: \$3.75 per month

Lot size greater than 15,000 square feet: \$4.75 per month

All other non-exempt property

\$0.105 per 100 square feet of impervious area per month with a minimum charge of \$3.75 per month based on the following:

Exemptions

Persons or entities and property exempt under the Act:

- a. State of Texas;
- b. Collin and Dallas Counties;
- c. City of Richardson;
- d. School Districts; and
- e. Property owned by a religious organization that is exempt from taxation pursuant to Section 11.20, Texas Tax Code.

ORDINANCE NO. 3846

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FOR A 1.41-ACRE TRACT OF LAND FROM LR-M(1) LOCAL RETAIL WITH SPECIAL CONDITIONS, O-M OFFICE WITH SPECIAL CONDITIONS, AND A-950-M APARTMENT TO LR-M(1) LOCAL RETAIL WITH SPECIAL CONDITIONS, SAID TRACT BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO-THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 11-19).

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 and Zoning Map 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 and Zoning Map 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 so as to grant a change in zoning for a 1.41-acre tract of land from LR-M(1) Local Retail with special conditions, O-M Office with special conditions, and A-950-M Apartment to LR-M(1) Local Retail with special conditions, said tract of land being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the change in zoning is granted subject to the following special conditions:

1. The development shall be used and developed in substantial conformance with the Concept Plan and Elevations attached as Exhibits "B" and "C", respectively, and which are hereby approved.

2. The percent of masonry on each building elevation for the restaurant shall be a minimum of 72%, and the percent of masonry on the building's facade area shall be a minimum of 74%.
3. The percent of masonry on each building elevation for the retail market shall be a minimum of 77%, and the percent of masonry on the building's facade area shall be a minimum of 78%.
4. The maximum building height shall be limited to thirty-six (36) feet for the restaurant and forty (40) feet for the retail market.
5. The minimum setback along Main Street shall be seventeen (17) feet.
6. The minimum setback along Abrams Road shall be ten (10) feet.
7. A minimum 9-foot wide amenity zone and a minimum 8-foot sidewalk shall be provided adjacent to and along Main Street. The amenity zone shall be landscaped and shall include one (1) shade tree planted a minimum forty (40) feet on center. Trees shall be planted within 8-foot x 8-foot tree wells, constructed in accordance with City details. The tree well opening shall be covered with a 6-foot x 6-foot tree grate, also in accordance with City standards.
8. A minimum 7-foot wide sidewalk shall be provided back of curb along Abrams Road.
9. A minimum 24-foot setback shall be provided from the restaurant and retail market buildings to the southern property line.
10. A minimum 6-foot high wrought iron fence with landscaping screening shall be provided along the eastern and western property lines adjacent to the parking on the southern half of the property.
11. The required parking ratio for the restaurant shall be 1 space per 150 square feet, with no parking required for mezzanine area when used as storage only.
12. The required parking ratio for the retail market building shall be 1 space per 333 square feet, with no parking required for the mezzanine area when used as storage only.
13. A minimum 5-foot wide landscape buffer shall be provided along Polk Street. A 4-foot high landscape hedge shall be provided within the buffer to provide screening of the parking spaces adjacent to Polk Street.
14. No certificate of occupancy shall be issued for either the restaurant or the market street buildings until conditions 7, 8, 9, 10 and 13 have been satisfied.

SECTION 3. That the above-described tract of land shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as heretofore amended, and as amended herein.

SECTION 4. That all other 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 5. 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 6. 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 7. 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 8. 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 28th day of
November, 2011.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:11-22-11:TM 52547)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 11-19

Being a tract of land situated in the William Bodine Survey, Abstract No. 153, being all of Lots 1 & 2, Block A of Arnold Subdivision, an addition to the City of Richardson, Dallas County, Texas, according to the plat thereof recorded in Volume 72225, Page 2398 of the Deed Records of Dallas County, Texas, together with Tracts 1 & 2 of that same tract of land conveyed to ZNH Corp. by deed recorded in Instrument No. 20080195679 of the Official Public Records of Dallas County, Texas, and also together with that same tract of land conveyed to ZNH Corp. by deed recorded in Instrument No. 20110120871 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS" in the South right-of-way line of Main Street (50 foot right-of-way), said point being the Northeast corner of Lot 1, Block A of the Dawn Addition No. 1, an addition to the City of Richardson, Dallas County, Texas, according to the plat thereof recorded in Volume 81171, Page 1071 of the Map Records of Dallas County, Texas, same being the Northwest corner of said Arnold Subdivision, and being the Northwest corner of herein described tract;

Thence North 89 Degrees 19 Minutes 10 Seconds East, along the South right-of-way line of said Main Street, passing the Northeast corner of said Arnold Subdivision, same being the Northwest corner of said Tracts 1 & 2 of ZNH Corp. tract recorded in Instrument No. 20080195679 and continuing for a total distance of 275.19 feet to an "X" set in concrete for corner at the intersection of the South right-of-way line of said Main Street and the West right-of-way line of Abrams Road (50 foot right-of-way), said point being the Northeast corner of said Tracts 1 & 2 of ZNH Corp. tract, same being the Northeast corner of herein described tract;

Thence South 00 Degrees 26 Minutes 20 Seconds East, along the West right-of-way line of said Abrams Road, a distance of 149.83 feet to a 1/2 inch iron rod found for corner, said point being the Northeast corner of a tract of land conveyed to Brian G. Geraghty by deed recorded in Volume 97070, Page 433 of the Deed Records of Dallas County, Texas, same being the most northerly Southeast corner of herein described tract;

Thence West, along the North line of said Geraghty tract, and departing the West right-of-way line of said Abrams Road, a distance of 66.87 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the Northwest corner of said Geraghty tract, same being the Northeast corner of said ZNH Corp. tract recorded in Instrument No. 201100120871;

Thence South 00 Degrees 30 Minutes 00 Seconds West, along the West line of said Geraghty tract, a distance of 150.04 feet to a point for corner in the current North right-of-way line of Polk Street (variable width public right-of-way), said point being the most southerly Southeast corner of herein described tract;

Thence West, along the current North right-of-way line of said Polk Street, a distance of 134.96 feet to a point for corner, said point being the Southeast corner of Lot 3, Block A of Arnolds Subdivision, an addition to the City of Richardson, Dallas County, Texas, according to the plat thereof recorded in Volume 84017, Page 2441 of the Map Records of Dallas County, Texas, same being the most southerly Southwest corner of herein described tract;

Thence North 00 Degrees 30 Minutes 00 Seconds East, along the East line of said Lot 3, a distance of 150.04 feet to an "X" set in a brick wall for corner, said point being the Northeast corner of said Lot 3;

Thence West, along the North line of said Lot 3, a distance of 75.77 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the Southwest corner of the aforementioned Lot 1, Block A of said Arnolds Subdivision, same being the most northerly Southwest corner of herein described tract;

Thence North 00 Degrees 30 Minutes 02 Seconds East, along the West line of said Lot 1, a distance of 146.56 feet to the POINT OF BEGINNING and containing 61,206 square feet or 1.41 acres of land.

LOT 1, BLOCK A
DRAW ADDITION NO. 1
VOLUME 81171, PAGE 1071
M.U.D.C.T
CURRENT ZONING: LR-M(1)
LAND USE: RETAIL

LOT 3, BLOCK A
ARNOLD SUBDIVISION
VOLUME 8121, PAGE 2441
M.U.D.C.T
CURRENT ZONING: A-950-M
LAND USE: MULTIFAMILY

PROPERTY INFORMATION TABLE

TRACT OF ZAK CORP	0244C
TRACT OF ZAK CORP	0245C
ARNOLD SUBDIVISION	
LOT 1	0244C
LOT 2	0245C
ZNAI CORP	
TRACT 1	0244C
TRACT 2	0245C

PLAZA DESIGN CONCEPTS

DTIC UPA TABLE

LOT	
PROPOSED USE	GROCERY AND RESTAURANT
PROPOSED ZONING	MARKET WITH SPECIAL CONDITIONS
LANDSCAPE AREA	830 SF (10.9 AC) (10%)
TOTAL LOT AREA	5419 SF (141.42)
BUILDING	
TOTAL AREA	10,000 SF
FLOOR AREA (G/F + M)	10,000 SF (G/F + M)
BUILDING HEIGHT	MARKET = 20'4"
PARKING	
NET AREA	
TOTAL REQUIRED (1:500)	58
SEE TABLE	
TOTAL PROVIDED (1:500)	42
TOTAL OFF-STREET PARKING	64
PROVIDED FOR BOTH USES	68

OWNER

AFRAH

214 E. MAIN STREET
RICHARDSON, TEXAS 75081
PH: (972) 234-8888
CONTACT: ANAD ELHARJI

ARCHITECT

GSO

8312 HARVEST HILL ROAD
SUITE 150
DALLAS, TEXAS 75226
PH: (972) 365-8811
CONTACT: LISA BERRY

ENGINEER / APPLICANT

Kimley-Horn and Associates, Inc.

11200 FRANK CENTRAL DRIVE
SUITE 1900
DALLAS, TEXAS 75249
PH: (972) 776-1200
CONTACT: ROY L. WILSON, P.E.

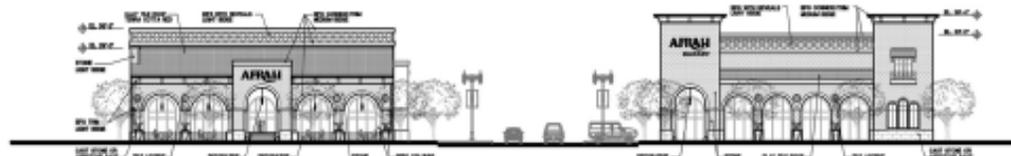
ZONING EXHIBIT
FOR
AFRAH
RESTAURANT AND MARKET
1.41 ACRES
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS
SUBMITTED SEPTEMBER 1, 2011

AFRAH RESTAURANT AND MARKET
RICHARDSON, TEXAS

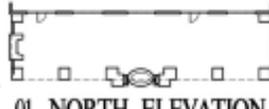
ZF 11-19
ZONING EXHIBIT

Exhibit B - Part of Ordinance

EXHIBIT

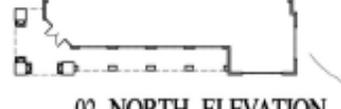


RESTAURANT	OVERALL	NORTH	EAST	WEST	SOUTH	
TOTAL SF	2841	1419	2841	2841	2841	
GLASSY SF	840	54.2%	100	51.7%	240	19.7%
INCL. CLAY ROOF						
INCL. ACCENT TILE	11					
INCL. GLASS	840		457	54		
SPF SF	2041	24.7%	100	24.8%	100	24.7%
SPFC SF	107	3.8%	10	3.7%	10	3.8%



01 NORTH ELEVATION
RESTAURANT

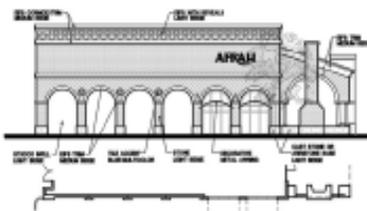
MAIN STREET VIEW



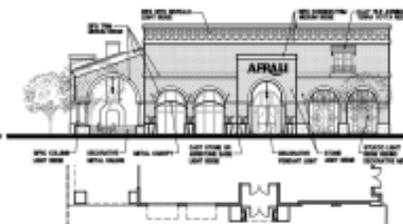
MARKET	OVERALL	NORTH	EAST	WEST	SOUTH	
TOTAL SF	1708	334	334	334	334	
GLASSY SF	419	24.5%	100	24.5%	100	24.5%
INCL. CLAY ROOF						
INCL. ACCENT TILE	0					
INCL. GLASS	419		334	0		
SPF SF	1289	27.8%	100	27.8%	100	27.8%
SPFC SF	49	2.9%	10	2.9%	10	2.9%

02 NORTH ELEVATION
MARKET

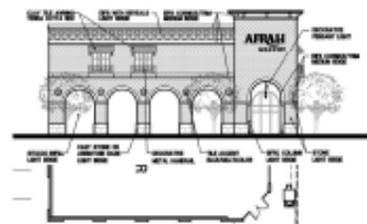
SPFC: GLASS FIBER REINFORCED CONCRETE



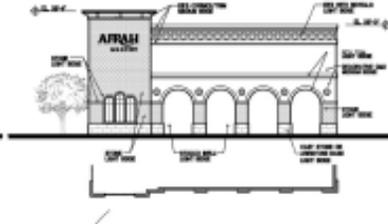
03 EAST ELEVATION
RESTAURANT
ABRAMS RD. VIEW



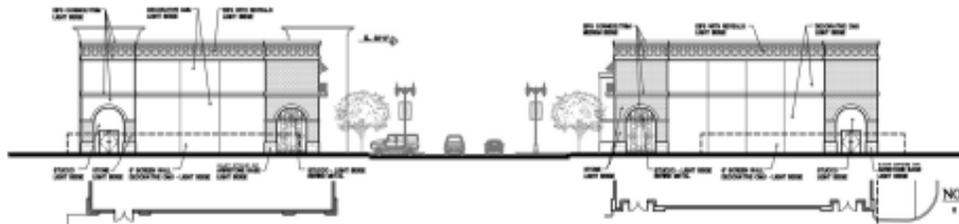
04 WEST ELEVATION
RESTAURANT



05 EAST ELEVATION
MARKET



06 WEST ELEVATION
MARKET



07 SOUTH ELEVATION
MARKET

POLK STREET VIEW

08 SOUTH ELEVATION
RESTAURANT

NOTES:
 * SIGNAGE FOR ILLUSTRATIVE PURPOSES ONLY.
 SUBJECT TO BUILDING INSPECTION APPROVAL.
 ALL GROUND AND ROOF MOUNTED UTILITIES AND EQUIPMENT ARE REQUIRED TO BE SCREENED.



5310 Harvest Hill Rd. Suite 146
 Dallas, Texas 75230
 972-385-9651
 Fax: 972-385-3462



Exhibit C - Part of Ordinance

EL08
JOB: 11042
ISSUE DATE: 8/10/11
SCALE: 1/4" = 1'-0"
APPROVED BY:
DATE:

ORDINANCE NO. 3847

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES BY AMENDING ARTICLE XI BY INCREASING THE ANNUAL AND RENEWAL REGISTRATION FEE FOR RENTAL UNITS; PROVIDING FOR A RE-INSPECTION FEE; PROVIDING FOR HABITABILITY SCORES FOR RENTAL UNITS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A CRIMINAL PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

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 amended by amending Article XI, Rental Registration, to read as follows:

“ARTICLE XI. RENTAL REGISTRATION

Sec. 6-470. 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:

Building official means the Chief Building Official for the City of Richardson, Texas, or designee.

Owner means the person claiming, or in whom is invested, the ownership, dominion, or title of real property including, but not limited to, holder of fee-simple title; holder of life-estate; holder of leasehold estate for an interim term of five years or more; a buyer under contract for deed or executory contract for conveyance; a mortgagee, receiver, executor, administrator or trustee in control of real property; but not including the holder of a leasehold estate or a tenancy for initial term of less than five years.

Person means an individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint interest, or any other legal or community entity.

Property manager means a person whom for compensation has managing control of a rental unit.

Rent means the offering, holding out or actual leasing of a rental unit to a person other than the owner and generally involves the payment of an amount of money as consideration for

the right to occupy the rental unit, although other forms of consideration or no consideration at all may be involved.

Rental unit means a single-family dwelling unit, duplex dwelling unit, and a townhome dwelling unit, or portion thereof that is rented or offered for rent as a residence.

Tenant means any person who rents or leases a rental unit for living or dwelling purposes with the consent of the landlord.

Sec. 6-471. Rental registration.

(a) Each owner of a rental unit within the city shall register each such rental unit with the building official and shall renew such registration annually on the date prescribed by the building official pursuant to subsection 6-472(a). Separate registration shall be required for each rental unit.

(b) Each new owner of a rental unit within the city shall make application for registration with the building official and schedule an inspection of said rental unit within thirty (30) days after the date of acquiring ownership of a rental unit.

(c) Application for rental registration shall be made upon a form provided by the city for such purpose, and shall include at least the following information:

- (1) Owner's name, address, and work and home telephone number, driver's license number, or identification card number and state of issuance of the owner;
- (2) If owner is a partnership, the name of all partners, the principal business address, and telephone number of each partner;
- (3) If owner is a corporation, the person registering must state whether it is organized under the laws of this state or is a foreign corporation, and must show the mailing address, business location, telephone number, name of the main individual in charge of the local office of such corporation, if any, and the names of all officers and directors or trustees of such corporation, and, if a foreign corporation, the place of incorporation;
- (4) Name, address and telephone number of the property manager;
- (5) Street address of the rental unit;
- (6) Name, drivers license number or identification number and state of issuance for each primary or principal tenant;
- (7) Number of persons occupying the rental unit;
- (8) Whether there has been a change of occupancy or an additional tenant of the rental unit since the date of last registration; and

- (9) Signed by the owner or owner's agent.
- (d) A nonrefundable fee of \$75.00 shall be charged for the registration of a rental unit.
- (e) The building official shall within 30 days after receipt of the registration application either issue a certificate of registration or notify the owner that the application does not comply with the requirements of this article.
- (f) A certificate of registration shall be valid for a period of 12 calendar months following issuance thereof; provided, however, the initial certificate of registration for a rental unit shall not expire until the date of renewal of registration established by the building official pursuant to subsection 6-472(a).
- (g) It is an offense for an owner to fail to register the owner's rental units within the city, and each and every day that the owner continues to fail to register the owner's rental units within the city shall constitute a separate offense.
- (h) It shall be unlawful for any person to file a false registration application with the building official.

Sec. 6-472. Renewal of registration.

- (a) Recognizing that the initial implementation of this article may be difficult because of the number of rental units, the inspections of rental units and limited manpower, the building official shall, by administrative order, divide the city into four or more geographical areas and establish annual registration dates for rental units located within each geographical area. A copy of the geographical designation shall be on file in the office of the building official.
- (b) A registered owner of a rental unit within the city, or the owner's agent, shall renew the registration for each rental unit on or before the date prescribed by subsection (a) and shall pay to the city a nonrefundable renewal fee of \$75.00 at the time of application for renewal.
- (c) The building official shall send each registered owner of a rental unit within the city a renewal notice for registration accompanied by a registration application to be completed and returned by the owner.
- (d) A registered owner of a rental property or the owner's agent shall, upon receipt of the renewal notice, complete and return a completed registration application for each rental unit within 30 days after receipt of the renewal notice. If an owner does not receive a renewal notice, it is the owner's responsibility to nonetheless renew the registration for each rental unit within the city. It is an offense for an owner to fail to file a completed annual registration application for each rental unit on or before the dates specified in the renewal notice.
- (e) It is an offense for an owner to fail to renew the registration of the owner's rental units within the city, and each and every day that the owner continues to fail to renew the registration of the owner's rental units within the city shall constitute a separate offense.

Sec. 6-473. Reserved.

Sec. 6-474 Inspection.

(a) The building official may inspect a rental unit to determine compliance with applicable state and local laws if the renewal of a registration for a rental unit includes that a change of occupancy of one or more tenants has occurred at a rental unit or at any other time when authorized by law.

(b) Within thirty (30) days after the initial registration of a rental unit and within thirty (30) days after the change of occupancy or change in tenancy of a rental unit, the owner of the rental unit shall request the building official conduct an inspection and make the rental unit available for inspection by the building official. The owner and the building official shall agree on a reasonable date and time for the required inspection. Upon each inspection by the building official, the rental unit must score 85 or higher on the habitability evaluation criteria set forth in section 6-474 (e) below to satisfy the minimum physical condition and human habitability standards for the rental unit. Any rental unit that has a habitability score of less than 85 must be re-inspected and charged a re-inspection fee as set forth in subsection (d), below.

(c) The building official or his agent shall enforce the provisions of this article upon presentation of proper identification to the occupant in charge of any rental unit and with the occupant's permission, may enter any unit between the hours of 8:00 a.m. and 6:00 p.m.; provided, however, in cases of emergency where extreme hazards are known to exist which may involve imminent injury to persons, loss of life or severe property damage, the building official may enter any rental unit at any time and the requirement for presentation of identification and the occupant's permission shall not apply. Whenever the building official is denied admission to inspect any rental unit under this section, inspection shall be made only under authority of a warrant issued by a magistrate authorizing the inspection. In applying for such a warrant, the building official shall submit to the magistrate an affidavit setting forth his belief that a violation of this article exists with respect to the place sought to be inspected and the reasons for such belief. Such affidavit shall designate the location of the rental unit and the name of the person believed to be the occupant thereof. If the magistrate finds that probable cause exists for an inspection of the rental unit in question, a warrant authorizing the inspection may be issued, such warrant describing the rental unit with sufficient certainty to identify the rental unit. Any warrants issued will constitute authority for the building official to enter upon and inspect the rental unit described therein.

(d) Any rental unit that has a habitability score of less than 85 must be re-inspected until the rental unit achieves a habitability score of 85 or greater. A re-inspection fee in the amount of \$75.00 shall be paid prior to the initial re-inspection. A re-inspection fee of \$120.00 shall be paid prior to each second and subsequent re-inspection.

(e) The habitability score for a rental unit shall be determined by deducting up to the maximum points set forth below from 100 based on the conditions or existence of the inspected category or item as determined by the building official or other person performing the inspection pursuant to this section:

Inspection Categories/Items	Maximum Points Deducted
Building Interior and Occupancy Standards	
Condition of Stairs, Handrails, and Guardrails	2.00
Condition of Ceilings and Walls	2.00
Condition of Doors and Windows	2.00
Condition of Floors and Floor Coverings	1.00
Proper/operable ventilation	1.00
Smoke Detectors	4.00
Adequate access to other habitable spaces	3.00
Number of occupants	3.00
Adequate floor area per occupant	3.00
Rodent, Insect Infestation	2.00
Sanitary Conditions	2.00
Sub-Total	25.00
Building Exterior	
Condition of Paint, Wood, Siding, Trim	4.00
Condition of Doors, Windows, Shutters, Screens	3.00
Condition of Roofs, Soffits, Fascia, Flashing, Gutters, Downspouts	4.00
Condition of Walls, Chimneys, Foundations	2.00
Condition of Stairs, Handrails, and Guardrails	2.00
Condition of Car Ports/ Accessory Structures	2.00
Unobstructed Means of Egress and Ingress	3.00
Sub-Total	20.00
Property Maintenance	
Open Storage; Hazardous, Combustible, Chemical Storage	4.00
Condition of Fences, Screening Walls, Retaining Walls	3.00
Unkempt Vegetation	2.00
Junk Vehicles, Other Parking Violations	2.00
Address	1.00
Condition of Pools, Pool equipment	2.00
Improper drainage, Standing Water	1.00
Sub-Total	15.00
Electrical (Interior/Exterior)	
Condition of Electrical Panels, Junction Boxes	3.00
Condition and Protection of Wiring	3.00
Condition and Protection of Light Fixtures, Switches and Receptacles	2.00
Condition and Protection of Wiring of Appliances	2.00
Sub-Total	10.00

Plumbing & Mechanical (Interior/Exterior)	
Condition of Plumbing Fixtures (interior and exterior)	4.00
Condition and Connection Appliances	3.00
Condition of Clean Outs	2.00
Condition of vent hood screen	1.00
Sub-Total	10.00
Water Heaters	
Combustion Air	2.00
Condition and Protection of Wiring and Gas Connections	3.00
Condition of Flue Pipes	2.00
Condition of Temperature / Pressure Relief Valve / Line	2.00
Water Supply	1.00
Sub-Total	10.00
Heating and Air Conditioning Equipment	
Condition and Protection of Wiring and Gas Connections	3.00
Condition of Flue Pipes	2.00
Condition of Filters and Condensate Drains	2.00
Heating and Air Conditioning (Functional)	3.00
Sub-Total	10.00
Total	100.00

** Accessibility to all electrical, plumbing and mechanical systems are necessary to conduct a proper inspection. If the systems are not accessible, points will be deducted for any criteria that cannot be assessed.

Secs. 6-475 – 6-499. Reserved.”

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 Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

SECTION 6. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

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

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS/11-22-11/52476)

CITY SECRETARY

CITY OF RICHARDSON

TO: Bill Keffler - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Competitive Sealed Proposal Initiation Request #901-12
DATE: November 21, 2011

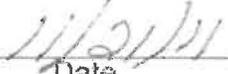
Request Council approval to initiate bids for the following:

Floyd Branch Drainage Improvements
(Greer to Kaufman Outfall & Phillips Bridge Replacement)

Proposed Council approval date: November 28, 2011
Proposed advertising dates: November 30, 2011 & December 7, 2011
Proposed CSP due date: January 10, 2012 – 2:00 p.m.
Proposed CSP opening date: January 10, 2012 – 2:30 p.m.
Engineer's estimated total cost: \$6,200,000
Account: 313-9694-583-7524, Project #313-040
377-8702-585-7524, Project #SD-0657
378-8702-585-7524, Project #SD-1036
542-9742-583-7524, Project #WS-0930


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: Cliff Miller, Assistant City Manager

FROM: Steve Spanos, Director of Engineering

SUBJECT: Permission to Advertise CSP #901-12 for the
Floyd Branch Storm Drain Improvements
(Greer to Kaufman Outfall & Phillips Bridge Replacement)

DATE: November 18, 2011

BACKGROUND INFORMATION:

Flooding concerns within the Floyd Branch watershed have been an impediment to development along the Central Corridor. Richardson hired Freese & Nichols in January of 2006 to develop the Floyd Branch Watershed Capital Improvement Plan. The plan identified a number of large drainage improvements that were needed along the Central Corridor both within the main Floyd Branch channel and in the underground system upstream of Kaufman. The 2006 and 2010 Bond Programs included substantial funding for this work and elements of the plan have already been constructed with the recent Centennial Park Development. The Floyd Branch Storm Drain Improvements Project is a continuation of these efforts and will further improve redevelopment opportunities along Richardson's Central and light rail corridor.

The Floyd Branch Storm Drain Improvements Project will replace the Phillips Drive culverts with a bridge and more than double the underground drainage system capacity from Kaufman, across Main Street up to Greer Street. Much of the proposed storm drain system is being installed in conjunction with the proposed Towne Central redevelopment plans that will eventually provide new restaurant and retail space on the northeast corner of Main Street at Central. The Towne Central Development also requires the addition of a Westbound Right Turn Lane from Interurban Street to the Northbound US75 Frontage Road which is being constructed as part of this project.

Dallas County and the Developer are sharing the cost of the right-turn-lane improvements and additionally, the Developer is paying for private site improvements being constructed concurrently with the drainage improvements. The County and private funding are being provided through agreements previously approved by Council.

FUNDING:

Funding is provided from:

- General Special Projects
- 2006 Street & Drainage GO
- 2010 Street & Drainage GO
- Water & Sewer Utility Special Projects
- Dallas County
- Private Developer Cost Sharing

SCHEDULE:

Capital Projects plan for this project to begin construction April 2012 and be completed by Fall 2013.

Office\Agenda\Executive\Ad\Floyd Branch Drain

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**FLOYD BRANCH STORM DRAIN IMPROVEMENTS
GREER TO KAUFMAN OUTFALL &
PHILLIPS BRIDGE REPLACEMENT**

CSP NO. 901-12

Competitive Sealed Proposals 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 **Tuesday, January 10, 2012 at 2:00 pm** and will be opened and read aloud in the Richardson Civic Center West Conference Room, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for.

The installation of approximately 2500 linear feet of multiple box culverts including five large junction boxes, approximately 1600 linear feet of waterline and 200 linear feet of sanitary sewer line relocations, West Bound Right Turn Lane construction on Main Street from Texas Street to Northbound Frontage Road US 75 and related pavement, parking and landscaping improvements.

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 proposal submitted, payable without recourse to the City of Richardson, Texas, or an acceptable proposal bond for the same amount from a reliable surety company as a guarantee that the proposer 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 proposer within ninety (90) days following the opening of bids.

The successful proposer 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 proposals, to waive any informality in the proposals received, and to select the proposal best suited to the Owner's best interest. Proposals will be evaluated and a ranked list of candidates provided within forty-five (45) days of receipt of proposals. Evaluation procedures, including weighted ranking criteria may be obtained from the City of Richardson, Capital Projects Department, 411 W. Arapaho Road, Suite 204, Richardson, TX 75080 telephone 972-744-4280.

A compact disc (CD) containing digital copies of the plans, specifications and proposal documents may be obtained 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 Thursday December 1, 2011** upon a **NON-REFUNDABLE FEE OF TWENTY FIVE DOLLARS (\$25.00)** per CD, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. A printed copy of the documents can be also be obtained upon a **NON-REFUNDABLE FEE OF ONE HUNDRED TWENTY FIVE DOLLARS (\$125.00)** per set. A maximum of two CDs of plans per contractor.

A Voluntary Pre-Proposal Meeting will be held Tuesday, December 20, 2011 at 1:00 pm in the Huffhines Room, Richardson Civic Center/City Hall.

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

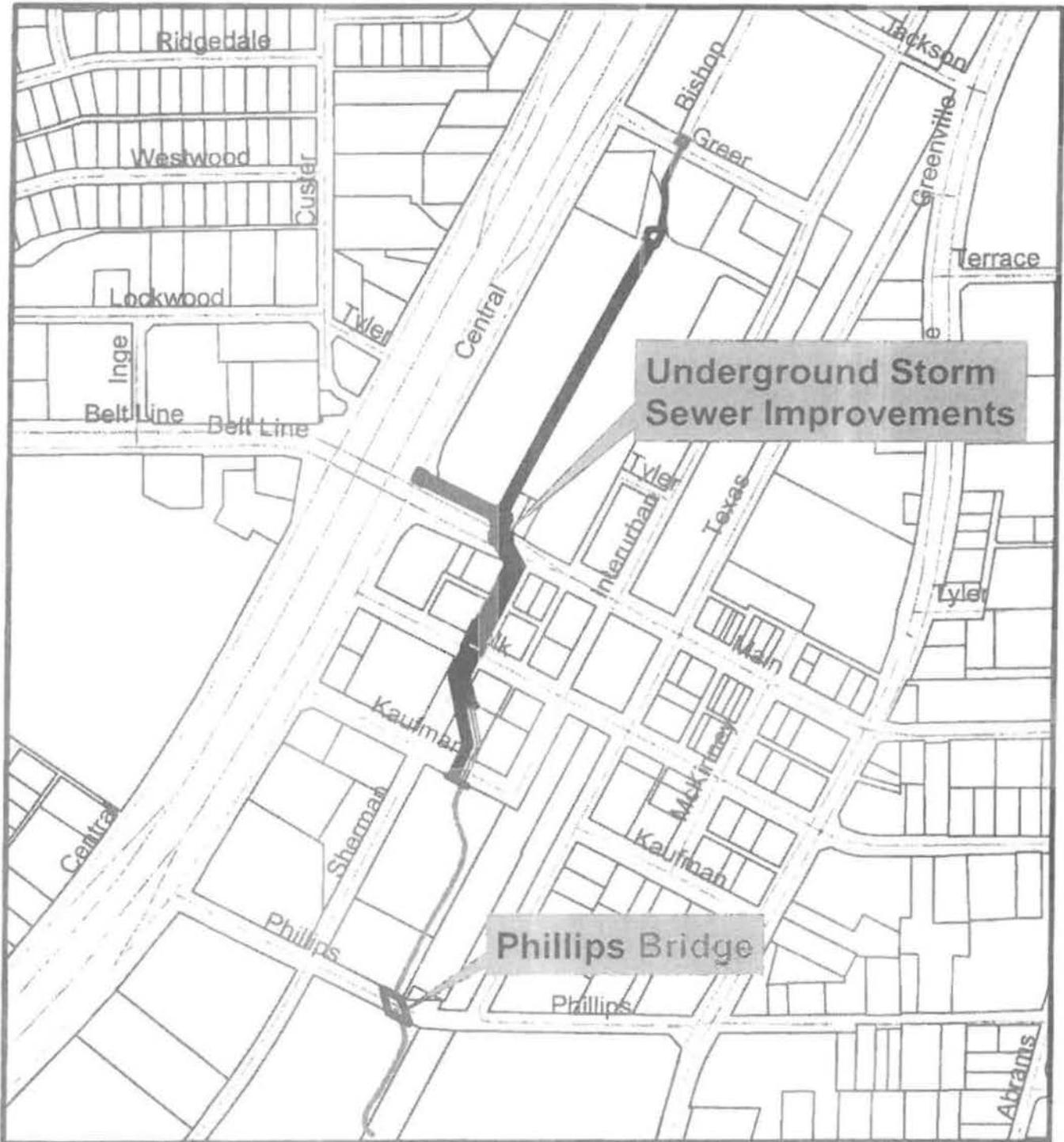
PROPOSED PROJECT SCHEDULE
FLOYD BRANCH DRAINAGE IMPROVEMENTS
GREER TO KAUFMAN OUTFALL & PHILLIPS BRIDGE REPLACEMENT
CSP #901-12

Agenda Paperwork to Advertise	Friday, November 18, 2011
Council Authorization to Advertise	Monday, November 28, 2011
Plans/Specs Available for Contractors	Thursday, December 1, 2011
Advertise in Dallas Morning News	Wednesday, November 30, 2011
Advertise in Dallas Morning News	Wednesday, December 7 2011
Pre Proposal Meeting (1:00 PM Huffines Room)	Tuesday, December 20, 2011
CSP'S Received/Opened (@ 2:00 open @ 2:30 West Conf Room)	Tuesday, January 10, 2012
Agenda Paperwork to Award Contract	Friday, February 3, 2012
Council to Award Contract	Monday, February 13, 2012
Pre-Construction Meeting	~ Mid February
Project Start	~ April 2012
Project Completion	~ Fall 2013

Project Engineer: Jim Dulac, P.E.
Engineers Estimate: \$6,200,000
Funding:
#313-9894-583-7524 Project #313-040
#377-8702-585-7524 Project #SD-0657
#378-8702-585-7524 Project #SD-1036
#542-9742-583-7524 Project #WS-0930
Dallas County & Private Developer Participation

FLOYD BRANCH DRAINAGE IMPROVEMENTS

Greer to Kaufman Outfall And Phillips Bridge



-  Storm Sewer Improvements
-  Phillips Bridge



MEMO

DATE: November 21, 2011

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

SUBJECT: Award of Bid #06-12 for the 2012 Annual Requirements Contract for Street Rehabilitation to Jim Bowman Construction Company pursuant to unit prices

Proposed Date of Award: November 28, 2011

I concur with the recommendation of Steve Spanos – Director of Engineering, and request permission to issue an annual requirements contract for street rehabilitation to Jim Bowman Construction Company pursuant to unit prices, as outlined in Mr. Spanos attached memorandum.

The term of the contract is twelve (12) months with options for two (2) additional twelve (12) month renewal periods, if agreeable to both parties. The award of this contract allows the city to use the street rehabilitation services as the requirements and needs of the city arise on an annual basis and during any subsequent renewal period(s). Since the city is not obligated to pay for or use a minimum or maximum amount of street rehabilitation services, payment will be rendered pursuant to the unit prices bid.

Funding is provided from various funding sources including, but not limited to, the Street Rehabilitation Fund and Streets and Drainage G.O. Funds. The bid was advertised in *The Dallas Morning News* on October 26, 2011 and November 2, 2011 and posted on Bidsync.com. A prebid conference was held on November 9, 2011 and eight bids were solicited and six bids were received.

Concur:


Kent Pfeil

Attachments

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



MEMO

TO: Bill Keffler, City Manager
THROUGH: Cliff Miller, Assistant City Manager *CM*
FROM: Steve Spanos, P.E., Director of Engineering *SS*
SUBJECT: Award Bid #06-12 to Jim Bowman Construction Co., for the
2012 Annual Requirements Contract for Street Rehabilitation
DATE: November 18, 2011

ACTION REQUESTED:

Council to consider award of Bid #06-12 to Jim Bowman Construction Co., for the 2012 Annual Requirements Contract for Street Rehabilitation pursuant to the attached unit prices.

BACKGROUND INFORMATION:

On November 15, 2011, the Capital Projects Department opened bids for the subject project. Selection of the low bidder was based on the lowest unit costs.

References and financials are not required at this time since Jim Bowman Construction Co., is currently under contract with the city.

The 2012 Annual Requirements Contract for Street Rehabilitation consists of citywide concrete replacement/rehab at various locations throughout the city. The contractor will be on-call for various concrete work including arterial streets. Work to be performed generally includes concrete pavement removal and replacement, concrete sidewalk/leadwalk replacement, 6" concrete curbs, barrier free ramps, sodding and other appurtenances related to performing the work. This contract contains an option to renew the contract if agreeable to both parties, for two (2) additional one year periods subject to the bid specifications.

As outlined in the specifications, it is the intent of the City to schedule approximately \$1,000,000 worth of work for the contractor during fiscal year 2011-12. We reserve the option to decrease or increase the amount of work during any contract period, as needed, provided funding is available. The successful bidder agrees to perform all work at the unit prices outlined in their bid.

FUNDING:

Funding is provided from various funding sources including, but not limited to, the Street Rehabilitation Fund and Streets and Drainage G.O. funds.

SCHEDULE:

Capital Projects plans to begin construction for this project December 2011 and be completed by December 2012. An option to renew the contract may be exercised and could extend the schedule for up to two (2) additional one (1) year periods.

Cc: Henry Drexel, P.E., Senior Project Engineer *HSD*
LT:Office\Agenda Reports\Executive\2012AnnualStreetRehab.exe.doc

**2012 ANNUAL REQUIREMENT CONTRACT FOR
STREET REHABILITATION**

BID # 06-12
Bid Opening: NOVEMBER 15, 2011

ITEM NO.	DESCRIPTION	EST QTY	UNIT	JIM BOWMAN CONSTRUCTION CO		LADGHELY BRIDGE & CONSTRUCTION, INC.		ESTRADA CONCRETS		KIM-RO CONTRACTING		MPL CONSTRUCTION COMPANY		AXIS CONTRACTING, INC.		AVERAGES	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
307	CONSTRUCT 6-INCH CONCRETE STREET OR DRIVEWAY, OVER 100 SY	4000	SY	\$34.00	\$136,000.00	\$40.00	\$160,000.00	\$40.00	\$160,000.00	\$34.00	\$136,000.00	\$36.00	\$144,000.00	\$37.25	\$149,000.00	\$36.88	\$147,500.00
308	CONSTRUCT 6-INCH CLASS "K" CONCRETE STREET OR DRIVEWAY, 0-100 SY	50	SY	\$45.00	\$2,250.00	\$60.00	\$3,000.00	\$53.00	\$2,650.00	\$53.00	\$2,650.00	\$40.00	\$1,800.00	\$65.25	\$3,315.00	\$61.04	\$3,622.50
309	CONSTRUCT 6-INCH CLASS "K" CONCRETE STREET OR DRIVEWAY, OVER 100 SY	150	SY	\$40.00	\$6,000.00	\$60.00	\$9,000.00	\$54.00	\$8,100.00	\$51.00	\$7,650.00	\$34.00	\$5,100.00	\$65.25	\$9,787.50	\$54.04	\$8,106.25
310	CONSTRUCT 8-INCH CONCRETE STREET OR DRIVEWAY, 0-100 SY	200	SY	\$52.50	\$10,500.00	\$45.00	\$9,000.00	\$45.00	\$9,000.00	\$42.00	\$8,400.00	\$44.00	\$8,800.00	\$47.25	\$9,450.00	\$45.96	\$9,191.25
311	CONSTRUCT 8-INCH CONCRETE STREET OR DRIVEWAY, OVER 100 SY	600	SY	\$51.00	\$30,600.00	\$45.00	\$27,000.00	\$45.00	\$27,000.00	\$43.00	\$25,800.00	\$44.00	\$26,400.00	\$46.25	\$30,750.00	\$45.71	\$27,425.00
312	CONSTRUCT 8-INCH CLASS "K" CONCRETE STREET OR DRIVEWAY, 0-100 SY	50	SY	\$65.00	\$3,250.00	\$70.00	\$3,500.00	\$70.00	\$3,500.00	\$53.00	\$2,650.00	\$20.00	\$1,000.00	\$68.25	\$3,412.50	\$71.04	\$3,552.00
313	CONSTRUCT 8-INCH CLASS "K" CONCRETE STREET OR DRIVEWAY, OVER 100 SY	100	SY	\$60.00	\$6,000.00	\$70.00	\$7,000.00	\$70.00	\$7,000.00	\$51.00	\$5,100.00	\$80.00	\$8,000.00	\$65.25	\$6,825.00	\$69.88	\$6,987.50
314	CONSTRUCT 9-INCH CLASS "C" CONCRETE STREET OR DRIVEWAY, 0-100 SY	100	SY	\$58.00	\$5,800.00	\$50.00	\$5,000.00	\$49.50	\$4,950.00	\$51.00	\$5,100.00	\$32.00	\$3,200.00	\$50.25	\$5,025.00	\$51.79	\$5,179.17
315	CONSTRUCT 9-INCH CLASS "C" CONCRETE STREET OR DRIVEWAY, OVER 100 SY	200	SY	\$57.00	\$11,400.00	\$50.00	\$10,000.00	\$49.50	\$9,900.00	\$45.00	\$9,000.00	\$49.50	\$9,900.00	\$46.25	\$9,650.00	\$49.88	\$9,975.00
316	CONSTRUCT 9-INCH CLASS "K" CONCRETE STREET OR DRIVEWAY, 0-100 SY	50	SY	\$70.00	\$3,500.00	\$75.00	\$3,750.00	\$70.25	\$3,512.50	\$59.00	\$2,950.00	\$25.00	\$1,250.00	\$75.25	\$3,762.50	\$75.08	\$3,754.17
317	CONSTRUCT 9-INCH CLASS "K" CONCRETE STREET OR DRIVEWAY, OVER 100 SY	100	SY	\$65.00	\$6,500.00	\$75.00	\$7,500.00	\$70.50	\$7,050.00	\$53.00	\$5,300.00	\$80.00	\$8,000.00	\$75.25	\$7,525.00	\$73.13	\$7,312.50
318	CONSTRUCT ONE (1) CLASS "C" REINFORCED CONCRETE MONOLITHIC MEDIAN NOSE	20	EA	\$75.00	\$1,500.00	\$100.00	\$2,000.00	\$700.00	\$14,000.00	\$37.00	\$740.00	\$100.00	\$2,000.00	\$1,500.00	\$30,000.00	\$472.00	\$9,440.00
319	CONSTRUCT 6-INCH CLASS "A" RIBBED CONCRETE MEDIAN AND RIP-RAP PAVEMENT	100	SY	\$45.00	\$4,500.00	\$52.00	\$5,200.00	\$50.00	\$5,000.00	\$53.00	\$5,300.00	\$45.00	\$4,500.00	\$60.00	\$6,000.00	\$54.50	\$5,450.00
320	CONSTRUCT 6-INCH CONCRETE CURB WITH 24-INCH WIDE GUTTER, 0-100 LF	600	LF	\$22.00	\$13,200.00	\$22.00	\$13,200.00	\$15.00	\$9,000.00	\$20.00	\$12,000.00	\$16.50	\$9,900.00	\$22.00	\$13,200.00	\$19.75	\$11,850.00
321	CONSTRUCT 6-INCH CONCRETE CURB WITH 24-INCH WIDE GUTTER, OVER 100 LF	400	LF	\$22.00	\$8,800.00	\$22.00	\$8,800.00	\$13.00	\$6,000.00	\$26.00	\$9,600.00	\$16.50	\$6,600.00	\$22.00	\$8,800.00	\$20.25	\$8,100.00
322	CONSTRUCT MOUNTABLE CONCRETE CURB WITH 24-INCH WIDE GUTTER, 0-100 LF	100	LF	\$24.00	\$2,400.00	\$15.00	\$1,500.00	\$20.00	\$2,000.00	\$26.00	\$2,600.00	\$29.00	\$3,000.00	\$25.00	\$2,500.00	\$23.33	\$2,333.33
323	CONSTRUCT MOUNTABLE CONCRETE CURB WITH 24-INCH WIDE GUTTER, OVER 100 LF	200	LF	\$24.00	\$4,800.00	\$15.00	\$3,000.00	\$20.00	\$4,000.00	\$25.00	\$5,000.00	\$20.00	\$4,000.00	\$20.00	\$4,000.00	\$20.67	\$4,133.33
324	CONSTRUCT 6-INCH INTEGRAL CURB ON STREET, ALLEY, SIDEWALK, OR CHANNEL PAVING SECTION	500	LF	\$4.00	\$2,000.00	\$3.00	\$1,500.00	\$15.00	\$7,500.00	\$2.50	\$1,250.00	\$2.50	\$1,250.00	\$4.50	\$2,250.00	\$5.58	\$2,791.67
325	ROUTING, CLEANING, AND SEALING EXISTING CRACKS	1000	LF	\$1.50	\$1,500.00	\$1.30	\$1,300.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$2.50	\$2,500.00	\$2.00	\$2,000.00	\$1.55	\$1,550.00
326	FOR INSTALLING A CLASS "C" REINFORCED CONCRETE BARRIER-FREE RAMP TYPE "A"	2	EA	\$60.00	\$120.00	\$80.00	\$160.00	\$1,000.00	\$2,000.00	\$400.00	\$1,600.00	\$1,500.00	\$3,000.00	\$800.00	\$1,600.00	\$526.67	\$1,653.33
327	FOR INSTALLING A CLASS "C" REINFORCED CONCRETE BARRIER-FREE RAMP TYPE "B"	17	EA	\$400.00	\$6,800.00	\$600.00	\$10,200.00	\$1,000.00	\$17,000.00	\$650.00	\$11,050.00	\$1,160.00	\$19,720.00	\$850.00	\$14,450.00	\$810.00	\$13,770.00
328	FOR INSTALLING A CLASS "C" REINFORCED CONCRETE BARRIER-FREE RAMP TYPE "C"	6	EA	\$400.00	\$2,400.00	\$800.00	\$4,800.00	\$1,000.00	\$6,000.00	\$600.00	\$3,600.00	\$1,200.00	\$7,200.00	\$850.00	\$5,100.00	\$841.67	\$5,050.00
329	FOR INSTALLING A CLASS "C" REINFORCED CONCRETE BARRIER-FREE RAMP TYPE "D"	8	EA	\$400.00	\$3,200.00	\$900.00	\$7,200.00	\$1,000.00	\$8,000.00	\$900.00	\$7,200.00	\$1,160.00	\$9,280.00	\$850.00	\$6,800.00	\$801.67	\$6,413.33
330	FOR INSTALLING A CLASS "C" REINFORCED CONCRETE BARRIER-FREE RAMP TYPE "E"	5	EA	\$400.00	\$2,000.00	\$900.00	\$4,500.00	\$1,000.00	\$5,000.00	\$700.00	\$3,500.00	\$1,500.00	\$7,500.00	\$700.00	\$3,500.00	\$733.33	\$3,666.67
331	FOR INSTALLING A CLASS "C" REINFORCED CONCRETE BARRIER-FREE RAMP TYPE "F"	4	EA	\$400.00	\$1,600.00	\$900.00	\$3,600.00	\$1,000.00	\$4,000.00	\$1,000.00	\$4,000.00	\$1,500.00	\$6,000.00	\$750.00	\$3,000.00	\$791.67	\$3,166.67

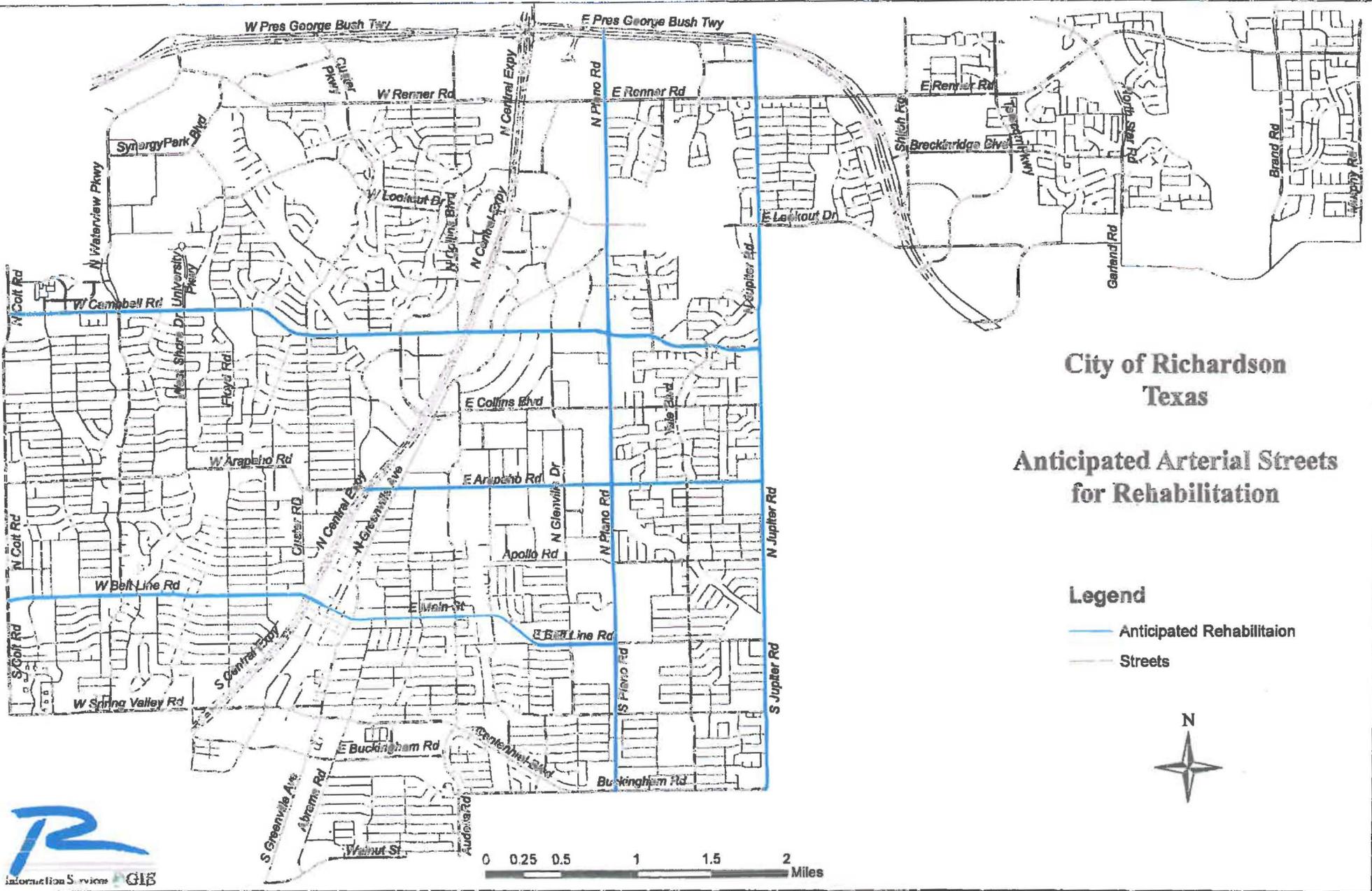
2012 ANNUAL REQUIREMENT CONTRACT FOR STREET REHABILITATION

BID # 06-12
Bid Opening: NOVEMBER 15, 2011

ITEM NO.	DESCRIPTION	EST QTY	UNIT	JIM BOWMAN CONSTRUCTION CO		LAUGHELEY BRIDGE & CONSTRUCTION, INC.		ESTRADA CONCRETE		KEN-DO CONTRACTING		NPL CONSTRUCTION COMPANY		AXIS CONTRACTING, INC.		AVERAGES	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
332	FOR INSTALLING A 10-WIDE CLASS "C" REINFORCED CONCRETE BARRIER-FREE RAMP TYPE "E"	6	EA	\$650.00	\$3,900.00	\$800.00	\$4,800.00	\$650.00	\$3,900.00	\$1,200.00	\$7,200.00	\$1,200.00	\$7,200.00	\$1,000.00	\$6,000.00	\$916.67	\$5,500.00
333	CONSTRUCT UP TO 3-INCH TYPE "D" ASPHALT	150	TON	\$84.00	\$12,600.00	\$108.00	\$16,200.00	\$60.00	\$9,000.00	\$90.00	\$13,500.00	\$125.00	\$18,750.00	\$150.00	\$22,500.00	\$102.83	\$15,425.00
334	CONSTRUCT 2 TO 4-INCH TYPE "C" ASPHALT	100	TON	\$82.50	\$8,250.00	\$110.00	\$11,000.00	\$50.00	\$5,000.00	\$100.00	\$10,000.00	\$125.00	\$12,500.00	\$150.00	\$15,000.00	\$107.92	\$10,791.67
335	CONSTRUCT 4-INCH EXPOSED AGGREGATE CONCRETE SIDEWALK	200	SF	\$5.50	\$1,100.00	\$30.00	\$6,000.00	\$10.00	\$2,000.00	\$35.00	\$7,000.00	\$20.00	\$4,000.00	\$4.25	\$850.00	\$17.46	\$3,491.67
336	CONSTRUCT 6-INCH EXPOSED AGGREGATE CONC DRIVEWAY	200	SY	\$45.00	\$9,000.00	\$36.00	\$7,200.00	\$15.00	\$3,000.00	\$44.00	\$8,800.00	\$90.00	\$18,000.00	\$40.25	\$8,050.00	\$45.04	\$9,008.33
337	CONSTRUCT 8-INCH REINF STREET USING FLEKKRETE	100	SY	\$140.00	\$14,000.00	\$52.00	\$5,200.00	\$70.00	\$7,000.00	\$30.00	\$5,000.00	\$80.00	\$8,000.00	\$68.00	\$6,800.00	\$76.67	\$7,666.67
338	CONSTRUCT COLORED STENCILED 6-INCH MEDIAN PAVEMENT	50	SY	\$60.00	\$3,000.00	\$50.00	\$4,000.00	\$90.00	\$4,500.00	\$75.00	\$3,750.00	\$135.00	\$6,750.00	\$75.00	\$3,750.00	\$85.83	\$4,291.67
339	CONSTRUCT COLORED STAMPED 6-INCH MEDIAN PAVEMENT	50	SY	\$60.00	\$3,000.00	\$80.00	\$4,000.00	\$100.00	\$5,000.00	\$95.00	\$4,750.00	\$135.00	\$6,750.00	\$75.00	\$3,750.00	\$90.83	\$4,541.67
340	CONSTRUCT 6-INCH CONC SIDEWALK	1200	SF	\$4.25	\$5,100.00	\$4.00	\$4,800.00	\$5.00	\$6,000.00	\$35.00	\$42,000.00	\$4.50	\$5,400.00	\$4.25	\$5,100.00	\$9.50	\$11,400.00
401	CONSTRUCT 6-FOOT CLASS "A" REINFORCED CONC. STANDARD CURB INLET	2	EA	\$2,200.00	\$4,400.00	\$2,000.00	\$4,000.00	\$2,000.00	\$4,000.00	\$2,100.00	\$4,200.00	\$3,500.00	\$7,000.00	\$2,300.00	\$4,600.00	\$2,350.00	\$4,700.00
402	CONSTRUCT 8-FOOT CLASS "A" REINFORCED CONC. STANDARD CURB INLET	2	EA	\$2,450.00	\$4,900.00	\$2,250.00	\$4,500.00	\$2,200.00	\$4,400.00	\$2,450.00	\$4,900.00	\$3,500.00	\$7,000.00	\$2,600.00	\$5,200.00	\$2,575.00	\$5,150.00
403	CONSTRUCT 10-FOOT CLASS "A" REINFORCED CONC. STANDARD CURB INLET	2	EA	\$2,850.00	\$5,700.00	\$2,500.00	\$5,000.00	\$2,400.00	\$4,800.00	\$2,500.00	\$5,000.00	\$3,500.00	\$7,000.00	\$3,500.00	\$7,000.00	\$2,875.00	\$5,750.00
404	CONSTRUCT 6-FOOT CLASS "A" REINFORCED CONC. RECESSED CURB INLET	1	EA	\$2,200.00	\$2,200.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,200.00	\$2,200.00	\$3,500.00	\$3,500.00	\$2,400.00	\$2,400.00	\$2,383.33	\$2,383.33
405	CONSTRUCT 8-FOOT CLASS "A" REINFORCED CONC. RECESSED CURB INLET	1	EA	\$2,450.00	\$2,450.00	\$2,250.00	\$2,250.00	\$2,200.00	\$2,200.00	\$2,400.00	\$2,400.00	\$3,500.00	\$3,500.00	\$2,800.00	\$2,800.00	\$2,600.00	\$2,600.00
406	CONSTRUCT 10-FOOT CLASS "A" REINFORCED CONC. RECESSED CURB INLET	1	EA	\$2,850.00	\$2,850.00	\$2,500.00	\$2,500.00	\$2,400.00	\$2,400.00	\$2,700.00	\$2,700.00	\$3,500.00	\$3,500.00	\$3,700.00	\$3,700.00	\$2,941.67	\$2,941.67
501	SETUP INDIVIDUAL TEMPORARY MAILBOXES	100	EA	\$20.00	\$2,000.00	\$25.00	\$2,500.00	\$20.00	\$2,000.00	\$23.50	\$2,350.00	\$20.00	\$2,000.00	\$25.00	\$2,500.00	\$22.25	\$2,225.00
502	SETUP TEMPORARY GROUP MAILBOXES	8	EA	\$150.00	\$1,200.00	\$50.00	\$400.00	\$50.00	\$400.00	\$90.00	\$720.00	\$30.00	\$400.00	\$100.00	\$800.00	\$81.67	\$653.33
503	REPLACE HOUSE ADDRESS ON NEW CURB	150	EA	\$10.00	\$1,500.00	\$50.00	\$7,500.00	\$10.00	\$1,500.00	\$40.00	\$6,000.00	\$20.00	\$3,000.00	\$23.00	\$3,450.00	\$23.50	\$3,825.00
504	ADJUST EXISTING WATER METER BOXES	150	EA	\$10.00	\$1,500.00	\$50.00	\$7,500.00	\$20.00	\$3,000.00	\$25.00	\$3,750.00	\$10.00	\$1,500.00	\$50.00	\$7,500.00	\$27.50	\$4,125.00
505	FOR RESIDENTIAL STREETS IMPLEMENT TRAFFIC CONTROL, 0-100 SY	10	EA	\$500.00	\$5,000.00	\$500.00	\$5,000.00	\$150.00	\$1,500.00	\$500.00	\$5,000.00	\$200.00	\$2,000.00	\$400.00	\$4,000.00	\$375.00	\$3,750.00
506	FOR RESIDENTIAL STREETS IMPLEMENT TRAFFIC CONTROL, OVER 100 SY	26	EA	\$450.00	\$11,700.00	\$500.00	\$13,000.00	\$150.00	\$3,900.00	\$500.00	\$13,000.00	\$150.00	\$3,900.00	\$450.00	\$11,700.00	\$366.67	\$9,533.33
507	FOR COLLECTOR STREETS IMPLEMENT TRAFFIC CONTROL 0-100 SY	2	EA	\$600.00	\$1,200.00	\$500.00	\$1,000.00	\$400.00	\$800.00	\$700.00	\$1,400.00	\$500.00	\$1,000.00	\$750.00	\$1,500.00	\$575.00	\$1,150.00
508	FOR COLLECTOR STREETS IMPLEMENT TRAFFIC CONTROL OVER 100 SY	4	EA	\$550.00	\$2,200.00	\$500.00	\$2,000.00	\$400.00	\$1,600.00	\$800.00	\$3,200.00	\$500.00	\$2,000.00	\$750.00	\$3,000.00	\$583.33	\$2,333.33
509	FOR ARTERIAL STREETS IMPLEMENT TRAFFIC CONTROL, 0-100 SY	20	EA	\$400.00	\$8,000.00	\$500.00	\$10,000.00	\$400.00	\$8,000.00	\$750.00	\$15,000.00	\$500.00	\$10,000.00	\$800.00	\$16,000.00	\$558.33	\$11,166.67
510	FOR ARTERIAL STREETS IMPLEMENT TRAFFIC CONTROL, OVER 100 SY	20	EA	\$400.00	\$8,000.00	\$500.00	\$10,000.00	\$400.00	\$8,000.00	\$1,000.00	\$20,000.00	\$500.00	\$10,000.00	\$800.00	\$16,000.00	\$600.00	\$12,000.00
TOTAL BASE BID				\$367,250.00		\$888,600.00		\$394,592.50		\$917,445.00		\$973,450.00		\$983,977.50		\$919,619.17	
CONTRACTOR'S BID				\$774,660.00		SAME		SAME		SAME		SAME		\$984,027.50			

ENGINEERS ESTIMATE FOR BASE BID:
\$1,000,000

CERTIFIED BY: 
Steve Spanos, P.E., Director of Engineering



**City of Richardson
Texas**

**Anticipated Arterial Streets
for Rehabilitation**

Legend

- Anticipated Rehabilitation
- Streets





City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, November 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, November 28, 2011

Agenda Item: Review and Discuss the Year-End Financial Report for the FY 2010-2011 Operating Budget

Staff Resource: Gary Beane, Budget Officer

Summary: Staff will discuss the year-end revenue and expenditure performance of the five major operating funds. This discussion will focus on the "un-audited" actuals for the General, Utility, Solid Waste, Hotel/Motel and Golf Funds. The audited actuals for all funds will be presented later in the year with acceptance of the audit and CAFR.

Board/Commission Action: N/A

Action Proposed: Review and Discuss the Year-End Financial Report for the FY 2010-2011 Operating Budget



City of Richardson
City Council Worksession
Agenda Item Summary



Meeting Date: Monday, November 28, 2011

Agenda Item: Review and Discuss Cultural Arts Master Plan Public Input Process

Staff Resource: Michelle Thames, Assistant City Manager

Summary: In their last State of the Arts Assessment provided to the City Council, the Richardson Arts Commission recommended that the City Council consider developing a Master Plan for the Arts in Richardson. In June 2011 the City Council concurred with the Arts Commission's recommendation and Lord Cultural Resources was selected to assist the City in developing the plan. City Staff will provide an overview of the Public Input process which will begin with a Public Forum on November 29, 2011.

Board/Commission Action: N/A

Action Proposed: Review and Discuss Cultural Arts Master Plan Public Input Process



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, November 28, 2011

Agenda Item: Galatyn Parkway Overpass Extension Project Update

Staff Resource: Cliff Miller, Assistant City Manager
Steve Spanos, Director of Engineering
Henry Drexel, Senior Project Engineer

Summary: On September 28, 2011, TxDOT awarded a contract for construction of the Galatyn Parkway Overpass Extension to Rebcon, Inc. This project will extend the roadway west over the southbound frontage road of US75 and connect to Palisades Blvd. The contractor is scheduled to begin work on the project Monday, November 28, 2011. Staff will provide a brief update on the project schedule and related project information. This project will provide better east-west access across US&75 and was one of the projects approved by voters as part of the 2010 Bond Program.

Board/Commission Action: N/A

Action Proposed: N/A



City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, November 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 Meeting
Agenda Item Summary



Meeting Date: Monday, November 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 pending litigation against Oncor Electric regarding the City franchise agreement.

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.