

**RICHARDSON CITY COUNCIL
MONDAY, SEPTEMBER 9, 2013
WORK SESSION AT 6:00 PM; COUNCIL MEETING AT 7:30 PM
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

The Richardson City Council will conduct a Work Session at 6:00 p.m. on Monday, September 9, 2013 in the Richardson Room of the Civic Center, 411, W. Arapaho Road, Richardson, Texas. The Work Session will be followed by a Council Meeting at 7:30 p.m. in the Council Chambers. Council will reconvene the Work Session following the Council Meeting if necessary.

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.

Á

WORK SESSION – 6:00 PM, RICHARDSON ROOM

• **CALL TO ORDER**

Á

A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA

The City Council will have an opportunity to preview items listed on the Council Meeting agenda for action and discuss with City Staff.

B. REVIEW AND DISCUSS THE 2010 BOND PROGRAM PROJECT UPDATE

C. REVIEW AND DISCUSS THE STREETS MAINTENANCE, SCREENING WALLS, BRIDGE RAILINGS, TRAFFIC SIGNS AND MARKINGS IMPLEMENTATION PLAN FOR 2013-2014

D. REPORT ON ITEMS OF COMMUNITY INTEREST

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 Council 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 posting the agenda.

Á

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. INVOCATION – STEVE MITCHELL

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – STEVE MITCHELL

3. MINUTES OF THE AUGUST 14, 2013, AUGUST 17, 2013, '51 ; I GH' & Ž&\$% ŽAUGUST 26, 2013, ' AND G9DH9A69F ' Ž&\$% 'A99HB; "

4. VISITORS

The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Citizens wishing to speak should complete a "City Council Appearance Card" and present it to the City Secretary prior to the meeting. Speakers are limited to 5 minutes and should conduct themselves in a civil manner. 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 response.

Á

Á

Á

PUBLIC HEARING ITEMS:

5. PUBLIC HEARING, ZONING FILE 13-15: A REQUEST BY MATT WELLS, ZOE'S KITCHEN, REPRESENTING STAR OF TEXAS REAL ESTATE LLC, TO AMEND A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE FOR REVISED BUILDING ELEVATIONS AT 222 W. CAMPBELL ROAD (NORTH SIDE OF CAMPBELL ROAD, WEST OF CENTRAL EXPRESSWAY). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

ACTION ITEMS:

6. CONSIDER ORDINANCE NO. 4018, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014.
7. CONSIDER ORDINANCE NO. 4019, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2013 (FISCAL YEAR 2013-2014) AT A RATE OF \$0.63516 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHARDSON AS OF JANUARY 1, 2013.
8. CONSIDER RATIFYING PROPERTY TAX INCREASE IN THE ADOPTED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014.
9. CONSIDER ORDINANCE NO. 4020, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 23-98 TO ESTABLISH RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY.
10. CONSIDER ORDINANCE NO. 4021, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING SECTION 23-168 TO ESTABLISH RATES TO BE CHARGED FOR SEWER SERVICES FURNISHED BY THE CITY.
11. CONSIDER ORDINANCE NO. 4022, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 19, SOLID WASTE, BY AMENDING ARTICLE I AND ARTICLE II IN PART TO PROVIDE FOR CERTAIN SOLID WASTE COLLECTION SERVICES BY FRANCHISE OR PERMIT.
12. CONSIDER RESOLUTION NO. 13-18, ESTABLISHING VARIOUS FEES AND CHARGES FOR THE USE OF THE CHARLES W. EISEMANN CENTER.

13. CONSENT AGENDA:

All items listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be removed from the Consent Agenda and discussed separately.

A. ADOPTION OF THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 4023, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO AMEND ORDINANCE NO. 3850 BY APPROVING REVISED BUILDING ELEVATIONS FOR A DRIVE-THRU RESTAURANT ON A 1.29-ACRE TRACT ZONED LR-M(1) LOCAL RETAIL WITH SPECIAL CONDITIONS, SAID TRACT BEING DESCRIBED AS LOT 3A, BLOCK 2, UNIVERSITY WORLD ADDITION IN DALLAS COUNTY, TEXAS.
2. ORDINANCE NO. 4024, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, BY AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE III ADMINISTRATIVE CODE; BY AMENDING SECTION 2-51(a) TO CORRECT THE TITLE OF THE ASSISTANT CITY MANAGER – ADMINISTRATIVE AND LEISURE SERVICES; AMENDING THE CITY ORGANIZATIONAL CHART AS SET FORTH IN SECTION 2-51(c); AMENDING SECTION 2-54(b)(3) TO CORRECT THE NAME OF THE BOARD OF ADJUSTMENT; AMENDING SECTION 2-56(b)(4) REGARDING TRAINING PROGRAMS CONDUCTED BY THE DIRECTOR OF HEALTH; AMENDING SECTION

2-56(b) BY DELETING PARAGRAPH (6) RELATING TO REGULATING THE SANITARY CONDITIONS OF MORGUES, CEMETERIES, ETC.; AMENDING SECTION 2-66(b) RELATING TO THE DUTIES OF THE DIRECTOR OF CAPITAL PROJECTS/ENGINEERING; AMENDING SECTIONS 2-68(a) AND 2-68(b) RELATING TO THE DUTIES OF THE DIRECTOR OF COMMUNICATIONS; AMENDING SECTION 2-69 REGARDING THE DEADLINE FOR THE NEXT BIENNIAL REVIEW OF THE ADMINISTRATIVE CODE; AND MAKING NON-SUBSTANTIVE AMENDMENTS TO GRAMMAR, PUNCTUATION, AND/OR FORMATTING TO SECTIONS 2-55(b)(9) AND 2-56(b)(13).

- B. CONSIDER RESOLUTION NO. 13-19, PROVIDING A DELEGATION OF AUTHORITY PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2269.053 TO BCS WEST LAND INVESTMENTS, L.P. TO PERFORM THE PROCUREMENT TASKS AND FUNCTIONS REQUIRED OF THE CITY BY STATE LAW REGARDING THE SOLICITATION OF BIDS AND/OR PROPOSALS AND THE AWARD OF CONTRACTS FOR THE DESIGN AND CONSTRUCTION OF TRAILS TO BE LOCATED NORTH OF RENNER ROAD, WEST OF ROUTH CREEK PARKWAY AND EAST OF THE DART LINE, SOUTH OF LOT 2, BLOCK D OF THE BUSH CENTRAL STATION ADDITION (CSJ: 0918-24-167); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ONE OR MORE AGREEMENTS ON BEHALF OF THE CITY OF RICHARDSON WITH BCS WEST LAND INVESTMENTS, L.P. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 271.908(b) FOR THE DESIGN AND CONSTRUCTION OF SAID PROJECT.
- C. APPROVAL OF FIRST PRESBYTERIAN CHURCH OF RICHARDSON AS A PARTICIPANT IN THE CITY OF RICHARDSON COMMUNITY GARDEN PARTNERSHIP PROGRAM.
- D. CONSIDER AWARD OF THE FOLLOWING BIDS:
1. BID #60-13 – WE RECOMMEND THE AWARD TO ESTRADA CONCRETE CO, LLC, FOR THE 2010 SIDEWALK REPLACEMENT PROJECT REGIONS 9 AND 11 IN THE AMOUNT OF \$1,224,620.
 2. BID #65-13 – WE RECOMMEND THE AWARD TO TASER INTERNATIONAL FOR CONDUCTED ELECTRICAL DEVICES AND ACCESSORIES FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$65,345.39.
 3. BID #68-13 – WE RECOMMEND THE AWARD TO IMAGESOFT, INC., FOR ADDITIONAL ONBASE SOFTWARE LICENSES AND SERVICES IN THE AMOUNT OF \$65,785.
 4. RFP #703-13 – WE RECOMMEND THE AWARD TO MUNICIPAL SERVICES BUREAU FOR THE BEST VALUE AWARD OF THE MUNICIPAL COURT COLLECTION SERVICES IN AN ESTIMATED AMOUNT OF \$130,000.
- E. AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER #3 TO INCREASE PURCHASE ORDER #121369 TO HILL & WILKINSON CONSTRUCTION FOR THE HEIGHTS PARK RECREATION & AQUATICS CENTER IN THE AMOUNT OF \$333,093.86 FROM FUNDED CONTINGENCY.

EXECUTIVE SESSION

In compliance with Section 551.087(1) and (2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Deliberation Regarding Economic Development Negotiations
 - Commercial Development – US 75/Arapaho Rd. Area

RECONVENE INTO REGULAR SESSION

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

- **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, SEPTEMBER 6, 2013, BY 5:00 P.M.

AIMEE NEMER, CITY SECRETARY

THIS BUILDING IS WHEELCHAIR ACCESSIBLE. ANY REQUESTS FOR SIGN INTERPRETIVE SERVICES MUST BE MADE 48 HOURS IN ADVANCE OF THE MEETING BY CALLING 972-744-4100 OR 972-744-4001.



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, September 9, 2013

Agenda Item: 2010 Bond Program Project Update

Staff Resource: Cliff Miller, Assistant City Manager
Steve Spanos, Director of Engineering
Jim Lockart, Assistant Director of Engineering

Summary: Implementation of the \$66 million 2010 Bond Program began immediately after voters approved the program in May 2010. Since that time considerable progress has been made. Several of the projects in the program have been completed. Many are currently under construction. Design and engineering is well underway on many other projects that are scheduled to begin construction in the coming months. This work session briefing will provide an update on the progress in each of the four propositions of the 2010 Bond Program.

Board/Commission Action: N/A

Action Proposed: N/A



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: Monday, September 9, 2013

Agenda Item: Review and Discuss The Streets Maintenance, Screening Walls, Bridge Railings, and Traffic Signs and Marking Implementation Plan for 2013-2014

Staff Resource: David Morgan, Deputy City Manager

Summary: The proposed 2013-14 city budget, which is anticipated to be adopted on Monday, September 9th, has a theme of "Maintaining a Solid Foundation." Significant infrastructure maintenance enhancements are included in the city budget for streets, screening walls, bridge railings, and traffic signs and markings. On Monday evening city staff will provide an overview of implementation plans in the next fiscal year for these maintenance enhancements.

Board/Commission Action: N/A

Action Proposed: N/A

MINUTES
RICHARDSON CITY COUNCIL
COUNCIL GOALS RETREAT
EISEMANN CENTER, BANK OF AMERICA HALL
AUGUST 14, 2013

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Maczka called the meeting to order at 6:00 p.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager

Consultant present:

Rick Robinson, Facilitator	SDi
----------------------------	-----

A. REVIEW AND DISCUSS COUNCIL GOALS FOR THE 2013-2015 COUNCIL TERM

Council developed the role of the Council and the rules of engagement.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:00 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
COUNCIL GOALS RETREAT
EISEMANN CENTER, BANK OF AMERICA HALL
AUGUST 17, 2013

WORK SESSION – 7:45 AM.:

- **Call to Order**

Mayor Maczka called the meeting to order at 7:45 a.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager

Consultant present:

Rick Robinson, Facilitator	SDi
----------------------------	-----

A. REVIEW AND DISCUSS COUNCIL GOALS FOR THE 2013-2015 COUNCIL TERM

Council reviewed and developed the value proposition for the City and discussed the vision, goals, and strategies process.

ADJOURNMENT

With no further business, the meeting was adjourned at 11:00 a.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
COUNCIL GOALS RETREAT
EISEMANN CENTER, BANK OF AMERICA HALL
AUGUST 24, 2013

WORK SESSION – 8:00 AM.:

- **Call to Order**

Mayor Maczka called the meeting to order at 8:00 a.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager

Consultant present:

Rick Robinson, Facilitator	SDi
----------------------------	-----

A. REVIEW AND DISCUSS COUNCIL GOALS FOR THE 2013-2015 COUNCIL TERM

Council developed the Council vision, goals, and strategies.

ADJOURNMENT

With no further business, the meeting was adjourned at 11:00 a.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND REGULAR MEETING
AUGUST 26, 2013

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Maczka called the meeting to order at 6:00 p.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Samantha Woodmancy	Management Analyst
Aimee Nemer	City Secretary
Michael Spicer	Director of Development Services
Alan Palomba	Fire Chief
Jim Dulac	Assistant City Engineer
Mistie Gardner	EM Coordinator
Bruce MacPherson	Managing Director, Eisemann Center

A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA

Staff reviewed items on the agenda.

B. REVIEW AND DISCUSS THE NEW FIRE TRAINING CENTER, EMERGENCY OPERATIONS CENTER AND BACKUP EMERGENCY DISPATCH CENTER

Jim Dulac, Assistant City Engineer; Mistie Gardner, EM Coordinator; and Alan Palomba, Fire Chief; presented the status and capabilities of the Fire Training Center, Emergency Operations Center, and Backup Emergency Dispatch Center.

C. REVIEW AND DISCUSS THE ADMINISTRATIVE CODE RENEWAL

David Morgan, Deputy City Manager, reviewed proposed amendments to the Administrative Code such as:

- Sec. 2-51 (a) – Modify the title following title to assistant city manager – administrative and leisure services
- Sec. 2-51 (c) – Modify to reflect the current organizational chart

- Sec. 2-66 (b) (12) – Director of capital projects/engineering: Add a bullet indicating the director will “manage and oversee the city’s drainage utility fund.”

D. REVIEW AND DISCUSS A REVISED PROPOSAL FOR AN EISEMANN CENTER FACILITY MAINTENANCE FEE FOR NON-TICKETED EVENTS

Bruce MacPherson, Managing Director for the Eisemann Center, reviewed a revised proposal to include a maintenance fee for non-ticketed events:

Non-Ticketed Events:

- 10% of base rental fees for usage of space
 - Added to clients’ final invoice
- School Performances (Exception)
 - \$50 for performance
 - \$25 for each additional performance on the same day
- COR Events
 - \$25 for half day usage per venue
 - \$75 for full day usage per venue

All funds to be deposited into a special Eisemann Center Capital Projects Account Line, setup so that any unspent balances will carry over from year-to-year.

E. REVIEW AND DISCUSS THE NEIGHBORHOOD VITALITY PROGRAM PROJECT IMPLEMENTATION

Don Magner, Assistant City Manager, reviewed the status of the following projects:

Neighborhood	Project Scope	Status
Duck Creek	1 bridge	Complete
North College Park	1 bridge	Complete
Mark Twain	2 bridges	Complete
Cottonwood Heights	4 bridges	Under Construction
Canyon Creek	3 bridges	Currently reviewing bids
College Park	End cap enhancements	Request bid authorization on 8-26
Town North Park	Entry feature	Request bid authorization on 8-26
Woodhaven Townhomes	Entry feature	Request bid authorization on 8-26
Canyon Creek Ridge	Entry feature	Request bid authorization on 8-26
The Pinery	Entry feature	Request bid authorization on 8-26
Estates of Prairie Creek	Entry feature	Request bid authorization on 8-26
Yale Park	Leave out screening wall	Request bid authorization on 8-26
The Reservation	2 bridges	Finalizing Concept
Arapaho	3 bridges	Finalizing Concept
Greenwood Hills/JJ Pearce	Leave out screening wall; 5 bridges	Hydraulics Study Underway

F. REPORT ON ITEMS OF COMMUNITY INTEREST

There were no reports of community interest submitted.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

- 1. INVOCATION – PAUL VOELKER**
- 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – PAUL VOELKER**

3. MINUTES OF THE AUGUST 12, 2013 AND AUGUST 19, 2013 MEETINGS

Council Action

Councilmember Mitchell moved to approve the Minutes as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

4. VISITORS

There were no visitors comments submitted.

PUBLIC HEARING ITEMS:

- 5. PUBLIC HEARING, ZONING FILE 13-14: A REQUEST BY MICHAEL B. RICE, RICE INDEPENDENCE GROUP, LLC, REPRESENTING A&S ELLINGTON PROPERTIES, LLC, TO AMEND THE ZONING FOR APPROVAL OF REVISED BUILDING ELEVATIONS FOR A DRIVE-THRU RESTAURANT AT 1240 W. CAMPBELL ROAD (NORTHWEST CORNER OF CAMPBELL ROAD AND LAKE PARK WAY). THE PROPERTY IS CURRENTLY ZONED LR-M(1) LOCAL RETAIL.**

Council Action

The public hearing was opened at 7:40. Michael Rice, the applicant, was available for questions from Council. Mayor Maczka read a statement of support submitted by Bette Hodges, Vice President of Development for the JJ Pearce Homeowners Association. No other public comments were submitted. Councilmember Solomon moved to close the public hearing, seconded by Councilmember Dunn, and approved unanimously.

Councilmember Solomon moved to approve with the revised elevations reflecting the changes granted in the ordinance to be approved administratively. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

- 6. SECOND PUBLIC HEARING FOR PROPOSED TAX RATE OF \$0.63516 PER \$100 VALUATION FOR FISCAL YEAR 2013 – 2014.**

Council Action

The public hearing was opened at 7:54 p.m. No comments were submitted. Councilmember Dunn moved to close the hearing at 7:54, seconded by Councilmember Solomon, and approved unanimously.

7. CONSENT AGENDA:

- A. ADOPTION OF ORDINANCE NO. 4017, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM TO-M TECHNICAL OFFICE TO PD PLANNED DEVELOPMENT FOR RP-1500-M PATIO HOME DISTRICT USES FOR 8.56 ACRES LOCATED ON LOT 1, BLOCK B, OF THE FIRST INSTALLMENT OF TECHNOLOGY PARK ADDITION AND CULLUM STREET RIGHT-OF-WAY.**
- B. AUTHORIZE THE ADVERTISEMENT OF BID #64-13 – 2010 NEIGHBORHOOD VITALITY ENTRY FEATURES (EAST: COLLEGE PARK, TOWN NORTH, WOODHAVEN AND WEST: PINERY, CANYON CREEK**

CONDO, EAST PRAIRIE CREEK). BIDS TO BE RECEIVED BY THURSDAY, SEPTEMBER 12, 2013 AT 2:00 P.M.

C. CONSIDER AWARD OF BID #62-13 – WE RECOMMEND THE AWARD TO PORTABLE COMPUTER SYSTEMS, INC., FOR AUTOMATED CITATIONS HANDHELD COMPUTERS & PRINTERS FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$21,713.44 (HANDHELD COMPUTERS) AND T O ADVANCE PUBLIC SAFETY (ZEBRA PRINTERS) IN THE AMOUNT OF \$53,783.50 FOR A TOTAL AWARD OF \$75,496.94.

D. CONSIDER CANCELLATION OF THE MONDAY, SEPTEMBER 2, 2013 C ITY COUNCIL MEETING FOR THE LABOR DAY HOLIDAY.

Council Action

Councilmember Mitchell moved to approve the Consent Agenda as presented. Mayor Pro Tem Townsend seconded the motion. A vote was taken and passed, 7-0.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:55 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
COUNCIL GOALS RETREAT
EISEMANN CENTER, BANK OF AMERICA HALL
SEPTEMBER 3, 2013

WORK SESSION – 6:00 PM.:

- **Call to Order**

Mayor Maczka called the meeting to order at 6:00 p.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager

Consultant present:

Rick Robinson, Facilitator	SDi
----------------------------	-----

A. REVIEW AND DISCUSS COUNCIL GOALS FOR THE 2013-2015 COUNCIL TERM

Council reviewed the Council vision and goals and prioritized strategies for the Council goals.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:00 p.m.

MAYOR

ATTEST:

CITY SECRETARY



MEMO

DATE: September 5, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 13-15 – Zoe’s Kitchen – Revised Elevations

REQUEST

Matt Wells, representing Zoe’s Kitchen, is requesting to amend the existing Special Permit (Ordinance No. 3765) for approval of revised building elevations for an existing 2,909-square foot drive-through restaurant. The subject property is located on the north side of Campbell Road approximately one-quarter mile west of Central Expressway. The site was formerly occupied by a Carl’s Jr. restaurant.

BACKGROUND

In 2009 a Special Permit was approved for a 2,909-square foot drive-through restaurant that included a 3-space parking reduction and a 3.5-foot reduction to the 10-foot landscape buffer along Campbell Road. Carl’s Jr. was constructed and opened in early 2012.

In July 2013 Zoe’s Kitchen submitted construction drawings for an extensive interior remodel of the existing restaurant along with plans to modify the building elevations. The applicant was notified the changes to the building elevations would require amending the elevations approved as part of the Special Permit for Carl’s Jr. Proposed changes include new façade materials and the addition and replacement of awnings.

Minor site changes that are substantially in conformance with the approved concept plan are also proposed and will be approved administratively. The applicant states the changes to the building elevations will reflect the signature brand without necessitating significant alterations to the existing building. Metal panels placed on the south and west towers will be a shade of red in color and metal panels added over the existing glass block below the windows will be gray. The proposed striped, multi-color awnings which are typical of the Zoe’s Kitchen brand will replace the existing red awnings.

No written correspondence has been received.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 7-0, recommended approval of the request as presented.

ATTACHMENTS

Special Condition	Revised Color Elevations (Exhibit “D”)
CC Public Hearing Notice	Approved Color Elevations (Exhibit “E”)
City Plan Commission Minutes 08-20-2013	Site Photos
Staff Report	Zoe’s Kitchen Photos – Plano, Texas
Zoning Map	Applicant’s Statement
Aerial Map	Notice of Public Hearing
Approved Site Plan (Exhibit “B”)	Notification List
Revised Elevations (Exhibits “C-1” through “C-3”)	Ordinance No. 3765

ZF 13-15 Special Conditions

1. Ordinance Number 3765 shall be revised to allow the construction of a drive-thru restaurant in substantial conformance with the attached building elevations (Exhibits “C-1” through “C-3”).

Subsequent to the City Plan Commission recommendation on August 20, 2013, staff suggests the following language be added to the condition since the building elevations have already been approved as part of the original development plans in 2010, and the proposed changes are limited to the addition of metal panels on the south and west towers, the addition of metal panels over the glass block, and the replacement of existing awnings and addition of awnings to create the “Zoe’s Kitchen look”:

Revised elevations reflecting the changes granted in this ordinance shall approved administratively.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: August 21, 2013
Submitted by: City Secretary, City of Richardson

Please publish as listed below or in attachment and provide a publication affidavit to:

City Secretary's Office
P.O. Box 830309
Richardson, TX 75083-0309

FOR PUBLICATION ON: August 23, 2013

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, September 9, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-15

A request by Matt Wells, Zoe's Kitchen, representing Star of Texas Real Estate LLC, to amend a Special Permit for a restaurant with drive-through service for revised building elevations at 222 W. Campbell Road (north side of Campbell Road, west of Central Expressway). The property is currently zoned C-M Commercial.

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

The City of Richardson
/s/ Aimee Nemer, City Secretary

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – AUGUST 20, 2013**

PUBLIC HEARING

Zoning File 13-15: Consider and take action on a request by Matt Wells, Zoës Kitchen, representing Star of Texas Real Estate, LLC, to amend a Special Permit for a restaurant with drive-through service for revised building elevations at 222 W. Campbell Road, north side of Campbell Road, west of Central Expressway.

Mr. Shacklett advised the applicant was requesting to amend the Special Permit under Ordinance 3765 regarding the approved elevations for the drive-through restaurant at 222 W. Campbell Road. He stated that in July of this year the applicant requested building permits for remodeling the interior as well as some exterior modifications; however, the modifications did not comply with the approved elevations under Ordinance 3765.

Mr. Shacklett noted that the proposed changes would include surround the patio seating area on the west side of the building with rail fencing, as well as removing the call box and preview board at the entrance to the drive-through. In addition, the applicant proposes to add red metal panels to the towers on the north, south, and west elevations; add light gray metal panels over the glass blocks beneath the windows; replace the existing solid red awnings with striped awnings distinctive to Zoës Kitchen, and to add one additional awning.

In closing his presentation, Mr. Shacklett noted that as part of the previously approved concept plan, the site was granted a three space parking reduction and, due to the constraints on the site because of the size, a reduction in the landscape buffer from 6-1/2 feet to 10 feet was granted.

Commissioner DePuy asked if the menu board would be taken down.

Mr. Shacklett replied the call box and menu board will be removed because the applicant will only use the drive-through for “to go” orders. He added that a small instructional sign might be placed in the same area.

No other comments or questions were made and Chairman Hand opened the public hearing.

Mr. Matt Wells, Development Manager for Zoës Kitchen, 5700 Granite Parkway, Plano, Texas, stated that Zoës was a fairly new brand and had recently relocated their corporate office from Alabama to Plano, Texas. He added the company had approximately a dozen locations in the Dallas/Fort Worth area and the menu was Mediterranean inspired with a fresh take on fast food including pita sandwiches and salads.

Commissioner Frederick stated she had visited the Plano restaurant location and noticed that the windows were clear of any type of advertising and asked if that would be the same at the Richardson location.

Mr. Wells replied that was correct, they did not put any advertising in their windows. Commissioner Frederick commented that she had some concerns about the large amount of red metal being proposed and pointed out that it was not present at the Plano location. She asked if the red was normal for most of the other locations.

Mr. Wells replied that in their prototypical stand-alone buildings, the red flat-lock metal panels were something they tried to utilize and since the building in Richardson was fairly new, they wanted to come as close to their typical buildings as possible without incurring a lot of costs in changing the structure.

Commissioner DePuy asked if the drive-through was used only for picking up to-go orders, how customers would know they could not use it to place orders.

Mr. Wells replied the sign at the entrance to the drive through would not have a menu and would be for instructional purposes only.

Commissioner Linn asked if the both the awnings and red towers were key to brand awareness for the company. He also commented that he felt the red color will clash with the existing brick and wanted to know if a marketing plan had been set in place.

Mr. Wells replied that the red was a fairly new design concept, but the awnings were a staple for the company and a part of all their stores. In addition, the color of the rendering did not give a fair comparison to what was on site and how well the proposed red metal panels would match.

Regarding the marketing plan, Mr. Wells stated the company has an active marketing department and they have had a presence in the Dallas/Fort Worth metroplex for quite some time.

Vice Chair Bright asked if the any of the other Dallas/Fort Worth stores had a red tower.

Mr. Wells replied that the other stores did not, but the prototype changed within the last year incorporating the red color. He added that the red color design element had been used in Atlanta, Georgia, Houston, Texas, and Norman, Oklahoma.

No other comments were received in favor or opposed and Chairman Hand closed the public hearing.

Commissioner Frederick said she had been opposed to the red tower; however, in looking at the red color used on the current building, she felt the proposed changes would be acceptable.

She added that if the location had been closer to a residential subdivision, or the building and surrounding retail stores were made of a different material, she would not be in favor of the proposal.

Commissioner DePuy stated she was in favor of the request and liked the proposed outdoor patio area and the fact there would be no advertising in the windows. She added that the towers were not substantial enough to cause a concern.

Commissioner Linn said if no other Commissioners had an objection to the red panels he would go along with the majority, but he wanted to go on record that he felt once the panels were erected the applicant would realize they did not match the brick and would be back before the Commission to request a change.

Chairman Hand stated he was in favor of the request and had picked up on positive comments being generated via social media.

Motion: Commissioner Roland made a motion to recommend approval of Zoning File 13-14 as presented; second by Vice Chair Bright. Motion approved 7-0.

ADJOURN

With no further business before the Commission, Chairman Hand adjourned the regular business meeting at 7:33 p.m.

Barry Hand, Chairman
City Plan Commission



Staff Report

TO: City Council

THROUGH: Michael Spicer, Director of Development Services **MS**

FROM: Sam Chavez, Assistant Director – Development Services **SC**

DATE: September 5, 2013

RE: **Zoning File 13-15:** Zoe’s Kitchen – Amend Special Permit for Revised Building Elevations

REQUEST:

Amend existing Special Permit (Ordinance Number 3765) for approval of revised building elevations for an existing 2,909-square foot drive-thru restaurant on a 0.46-acre site located on the north side of Campbell Road, west of Central Expressway.

APPLICANT / PROPERTY OWNER:

Matt Wells, Zoe’s Kitchen / Kamyar Mateen, Star of Texas Real Estate, LLC.

EXISTING DEVELOPMENT:

The site is currently developed as a 2,909-square foot Carl’s Jr. drive-through restaurant.

ADJACENT ROADWAYS:

Campbell Road: Six-lane, divided arterial; 36,100 vehicles per day on all lanes, eastbound and westbound, west of US Highway 75 (May 2011).

US Highway 75: Freeway/Turnpike; 246,000 vehicles per day on all lanes, northbound and southbound, north of Campbell Road (2010).

SURROUNDING LAND USE AND ZONING:

North: Retail/Commercial; C-M Commercial

South: Office; LR-M(2) Local Retail

East: Retail/Commercial; C-M Commercial

West: Retail/Commercial; C-M Commercial

FUTURE LAND USE PLAN:

Neighborhood Service

Service-related uses such as retail sales; personal services; entertainment; recreation; and office uses oriented to the immediate area.

Future Land Uses of Surrounding Area:

North: Neighborhood Service
South: Regional Employment
East: Neighborhood Service
West: Neighborhood Service

EXISTING ZONING:

C-M Commercial (Ordinance Number 558-A & Ordinance Number 2018-A) with a Special Permit (Ordinance Number 3765) for a drive-thru restaurant.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT'S STATEMENT

(Please refer to the complete Applicant's Statement.)

STAFF COMMENTS:

Background:

The site is located on the north side of Campbell Road, approximately ¼ mile west of Central Expressway. The site was originally developed as a 2,099-square foot KFC drive-through restaurant in 1984. In 2009, a new Special Permit was approved for a new 2,909-square foot Carl's Jr. drive-through restaurant. The Special Permit allowed a 3-space parking reduction and granted a 3.5-foot reduction to the suggested 10-foot landscape buffer per the City's Landscaping Policy. The KFC was demolished and Carl's Jr. was constructed and opened in early 2012.

In July 2013, Zoe's Kitchen submitted construction drawings for an extensive interior remodel of the existing Carl's Jr. along with plans to modify the existing building elevations. At that time, the applicant was informed the building elevations for Carl's Jr. were approved as part of their Special Permit in 2009; therefore, the addition of new awnings and replacement of awnings along with changes in façade materials required the applicant to amend the Special Permit.

Request:

No changes are proposed to the site except for the addition of a brick planter and patio railing around an approved patio seating area on the west side of the building and the removal of drive-

thru signage and the call box/menu board. The site will still utilize the drive-thru lane, but these features would be removed since Zoe's Kitchen limits their use of the drive-thru lane to pick up to-go orders. These changes are in substantial conformance with the approved concept plan approved in 2009, and will be approved administratively.

The applicant states the changes to the building elevations are necessary to reflect their signature brand without undergoing any major building alterations. The proposed material changes include the addition of metal panels on the existing tower elements and over the glass block located beneath the windows, new awnings and light fixtures.

The metal panels placed on the tower would be a reddish color and cover the existing brick, cast stone, and stucco on the south and west towers. No changes are proposed to the materials on the north tower. Additionally, metal panels would be placed beneath the windows on the north, south, and west elevations to match the color of the storefront glass. The applicant states the intent of the addition of the panels separates the building's look from the existing Carl's Jr. and creates the "Zoe's Kitchen look".

The applicant is also requesting to replace the existing red awnings and to add a new awning on the south elevation. The proposed awnings would utilize a striped, multi-color pattern that include shades of red, orange, brown, green, white and light blue (See attached Color Elevations – Exhibit D). Light fixtures would also be relocated and replaced with different fixture types to accommodate the new awnings.

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

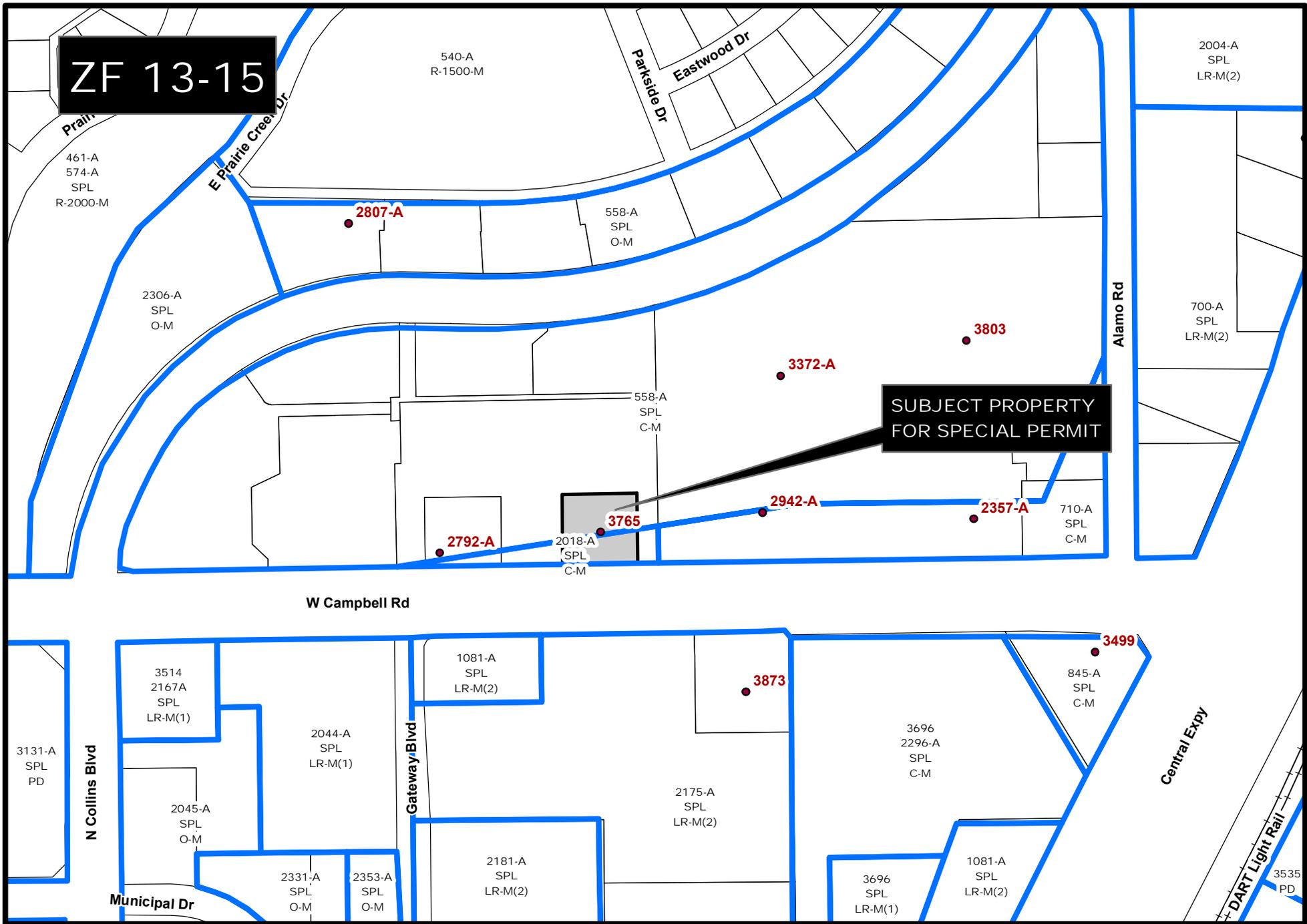
Motion: On August 20, 2013, the City Plan Commission recommended approval of the request as presented on a vote of 7-0 subject to the following special condition:

1. Ordinance Number 3765 shall be revised to allow the construction of a drive-thru restaurant in substantial conformance with the attached building elevations (Exhibits "C-1" through "C-3").

Subsequent to the City Plan Commission recommendation on August 20, 2013, staff suggests the following language be added to the condition since the building elevations have already been approved as part of the original development plans in 2010, and the proposed changes are limited to the addition of metal panels on the south and west towers, the addition of metal panels over the glass block, and the replacement of existing awnings and addition of awnings to create the "Zoe's Kitchen look":

Revised elevations reflecting the changes granted in this ordinance shall approved administratively.

ZF 13-15

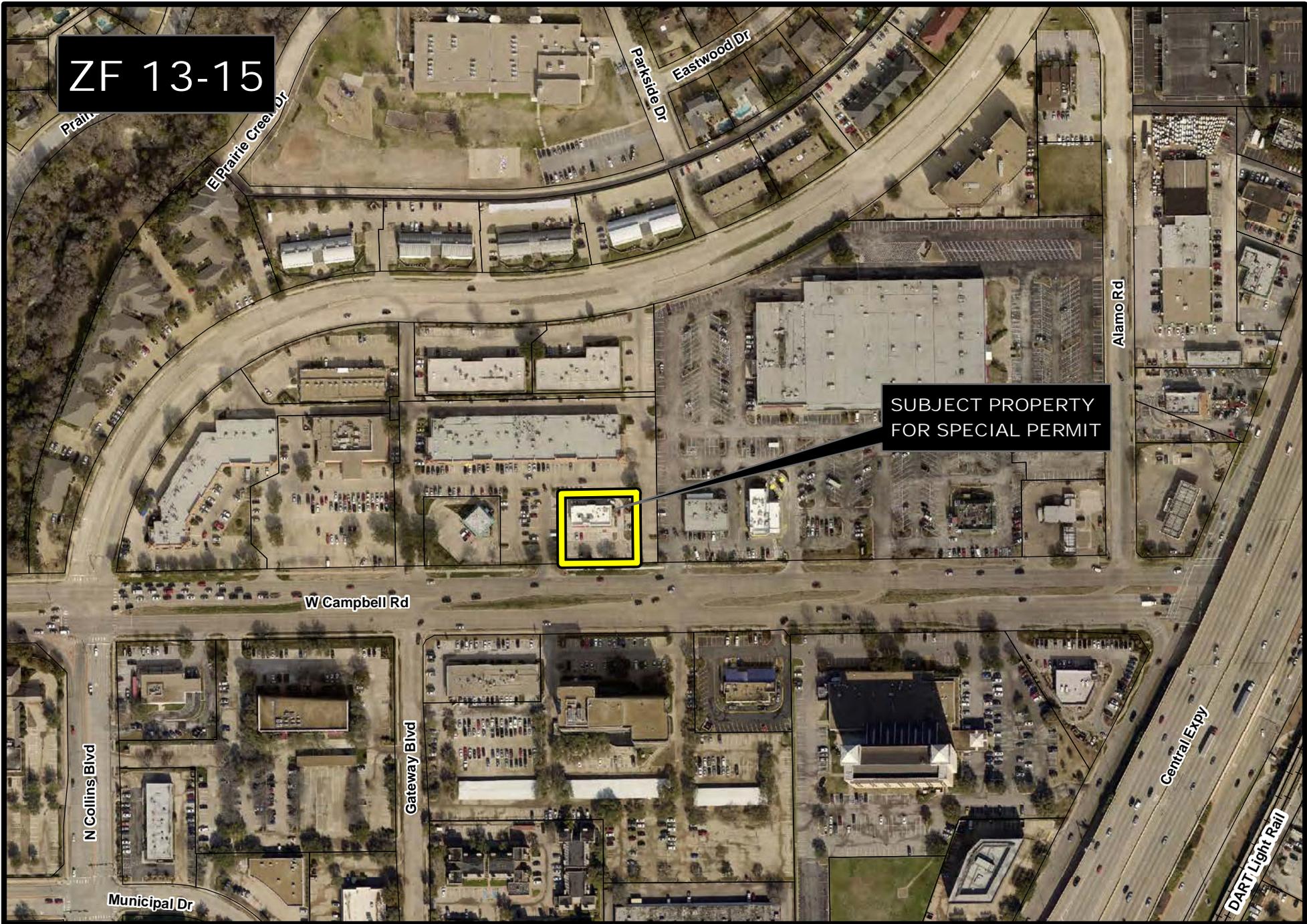


ZF 13-15 Zoning Map

Updated By: shacklett, Update Date: August 5, 2013
File: DSI\Mapping\Cases\Z\2013\ZF1315\ZF1315 zoning.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





ZF 13-15

SUBJECT PROPERTY
FOR SPECIAL PERMIT

ZF 13-15 Aerial Map

Updated By: shacklett, Update Date: August 5, 2013
File: D:\Mapping\Cases\Z\2013\ZF1315\ZF1315 ortho.mxd

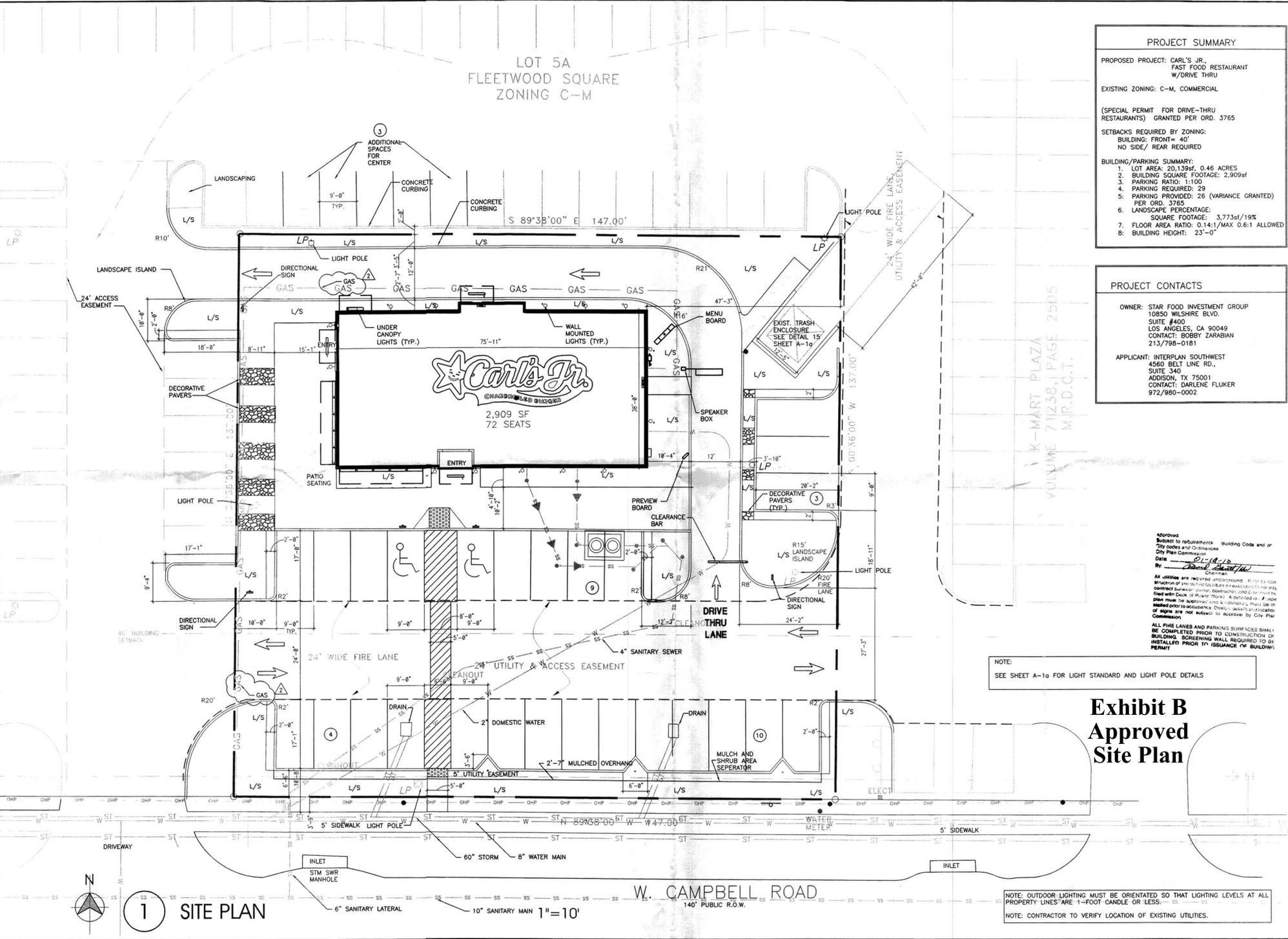
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



LOT 5A
FLEETWOOD SQUARE
ZONING C-M

PROJECT SUMMARY	
PROPOSED PROJECT:	CARL'S JR. FAST FOOD RESTAURANT W/DRIVE THRU
EXISTING ZONING:	C-M, COMMERCIAL
(SPECIAL PERMIT FOR DRIVE-THRU RESTAURANTS) GRANTED PER ORD. 3765	
SETBACKS REQUIRED BY ZONING:	BUILDING: FRONT= 40' NO SIDE/ REAR REQUIRED
BUILDING/PARKING SUMMARY:	
1. LOT AREA:	20,139sf, 0.46 ACRES
2. BUILDING SQUARE FOOTAGE:	2,909sf
3. PARKING RATIO:	1:100
4. PARKING REQUIRED:	29
5. PARKING PROVIDED:	26 (VARIANCE GRANTED) PER ORD. 3765
6. LANDSCAPE PERCENTAGE:	SQUARE FOOTAGE: 3,773sf/19%
7. FLOOR AREA RATIO:	0.141/MAX 0.6:1 ALLOWED
8. BUILDING HEIGHT:	23'-0"

PROJECT CONTACTS	
OWNER:	STAR FOOD INVESTMENT GROUP 10850 WILSHIRE BLVD. SUITE #400 LOS ANGELES, CA 90049 CONTACT: BOBBY ZARABIAN 213/798-0181
APPLICANT:	INTERPLAN SOUTHWEST 4560 BELT LINE RD., SUITE 340 ADDICKS, TX 75001 CONTACT: DARLENE FLUKER 972/980-0002



NOTE:
SEE SHEET A-1a FOR LIGHT STANDARD AND LIGHT POLE DETAILS

**Exhibit B
Approved
Site Plan**

NOTE: OUTDOOR LIGHTING MUST BE ORIENTATED SO THAT LIGHTING LEVELS AT ALL PROPERTY LINES ARE 1-FOOT CANOPEL OR LESS.
NOTE: CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES.

1 SITE PLAN

W. CAMPBELL ROAD
140' PUBLIC R.O.W.



These drawings are the property of CARL KARCHER ENTERPRISES, INC. and shall not be copied or reproduced without expressed written permission.
CKE VERSION - PROTOTYPE T24 - C60 2007

Zoës Kitchen - Richardson

Fleetwood Square
222 W. Campbell Rd.
Richardson, TX



Tobin Starr + Partners
ARCHITECTURE : PLANNING : DESIGN

Tobin Starr + Partners, PLLC
1435 West Morehead Street, Suite 240
Charlotte, NC 28208
P: 704 377 5200 F: 704 377 5201
www.tobinstarr.com

© Tobin Starr + Partners, PLLC 2013

ISSUED FOR CONSTRUCTION:
07/09/2013

No.	Description	Date
1	CODE REVIEW COMMENTS	07/23/2013

DESIGNS
ISSUE

REVISIONS

SHEET TITLE

EXTERIOR ELEVATIONS



SHEET NUMBER

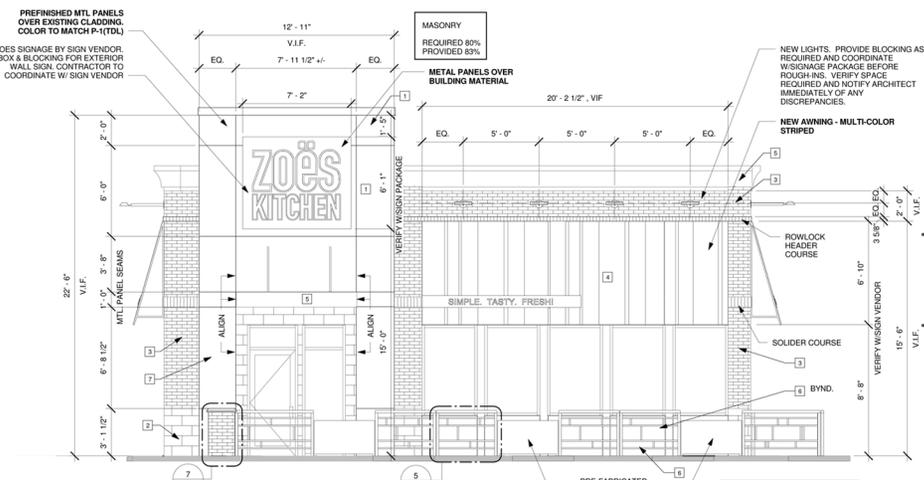
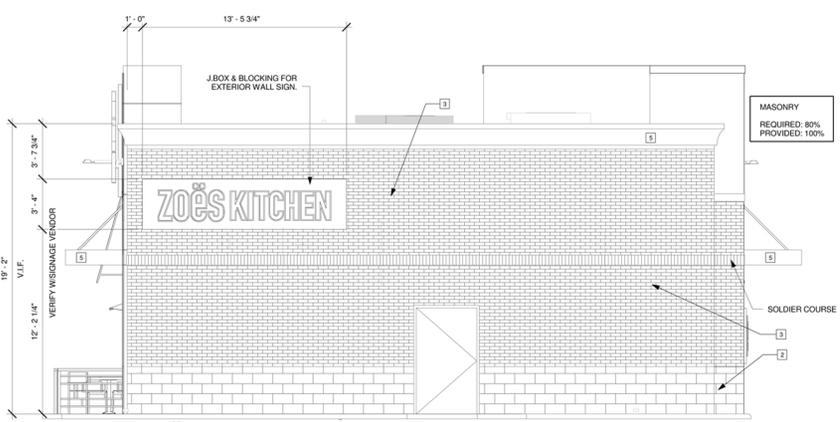
A3.01

Tobin Starr + Partners Project 130A056

- 1 RED FLAT LOCK MTL PANELS OVER EXISTING BEIGE STUCCO
- 2 CONTINENTAL CAST STONE BEIGE
- 3 BRICK (STANDARD), ACME BRICK BLEND 100
- 4 AWNING
- 5 CORNICE AND TRIM, SW-7020 BLACK FOX
- 6 ACM PANELS OVER EXISTING GLASS BLOCK, COLOR TO MATCH STOREFRONT
- 7 RED FLAT LOCK MTL PANELS OVER EXISTING MASONRY BLOCK/BRICK

MASONRY TOTAL	REQUIRED: 85% PROVIDED: 91%
---------------	--------------------------------

- SIGNAGE NOTES:**
- SIGNAGE IS UNDER A SEPARATE PERMIT AND IS TO BE PROVIDED BY SIGNAGE VENDOR.
 - CONTRACTOR TO PROVIDE POWER TO SIGN PER ELECTRICAL DRAWINGS. COORDINATE WITH SIGN VENDOR FOR REQUIREMENTS AND SIGNAGE LOCATION.
 - CONTRACTOR TO COORDINATE WITH SIGN VENDOR FOR MOUNTING DETAILS. CONTRACTOR TO PROVIDE NECESSARY BLOCKING AND SUPPORT / FRAMING CONNECTIONS ACCORDINGLY.



NOTE: SIGNAGE FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO COMM. SERVICES APPROVAL.

Exhibit C-1 - Part of Ordinance

Zoës Kitchen - Richardson

Fleetwood Square
222 W. Campbell Rd.
Richardson, TX



Tobin Starr + Partners
ARCHITECTURE : PLANNING : DESIGN

Tobin Starr + Partners, PLLC
1435 West Morehead Street, Suite 1400
Charlotte, NC 28208
P: 704.377.5200 F: 704.377.5201
www.tobinstarr.com

DESIGNERS
ISSUE

© Tobin Starr + Partners, PLLC 2013

ISSUED FOR CONSTRUCTION:
07/09/2013

No.	Description	Date
1	CODE REVIEW COMMENTS	07/23/2013

REVISIONS

SHEET TITLE
EXTERIOR NORTH ELEVATIONS



SHEET NUMBER

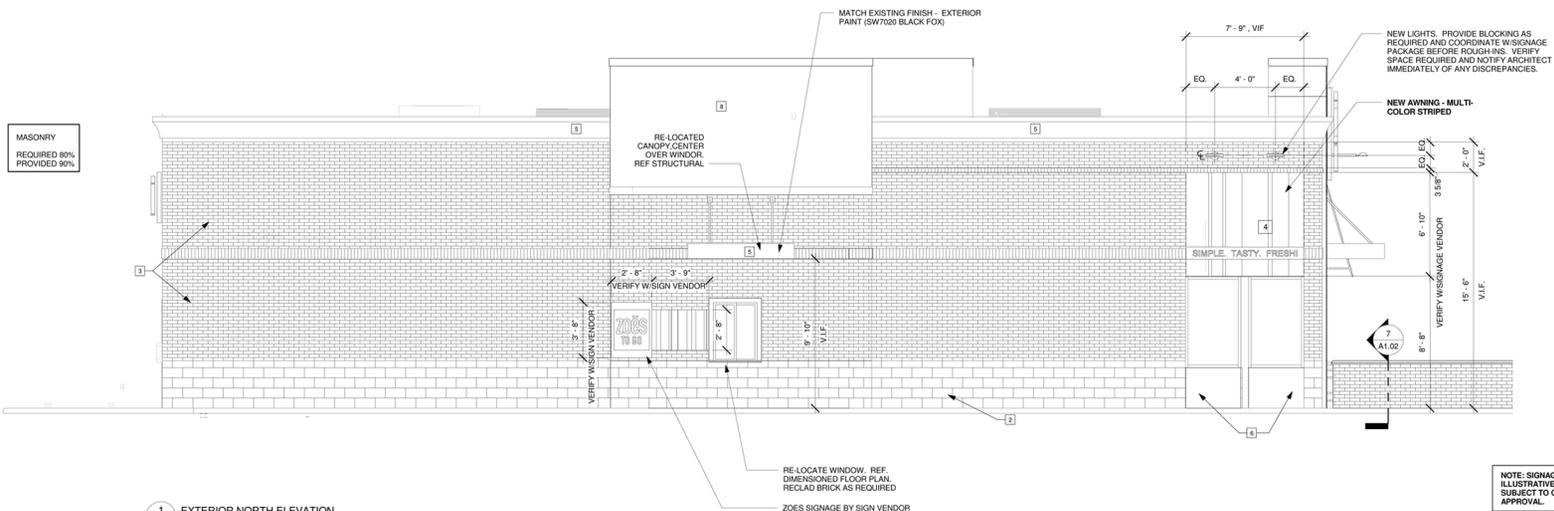
A3.02

Tobin Starr + Partners Project | 132A006

- 1 RED FLAT LOCK MTL PANELS OVER EXISTING BEIGE STUCCO
- 2 CONTINENTAL CAST STONE BEIGE
- 3 BRICK (STANDARD), ACME BRICK BLEND 100
- 4 AWNING
- 5 CORNICE AND TRIM, SW-7020 BLACK FOX
- 6 ACM PANELS OVER EXISTING GLASS BLOCK, COLOR TO MATCH STOREFRONT
- 7 RED FLAT LOCK MTL PANELS OVER EXISTING MASONRY BLOCK/BRICK
- 8 BEIGE STUCCO

MASONRY TOTAL	REQUIRED: 85% PROVIDED: 91%
---------------	--------------------------------

- SIGNAGE NOTES:**
1. SIGNAGE IS UNDER A SEPARATE PERMIT AND IS TO BE PROVIDED BY SIGNAGE VENDOR.
 2. CONTRACTOR TO PROVIDE POWER TO SIGN PER ELECTRICAL DRAWINGS. COORDINATE WITH SIGN VENDOR FOR REQUIREMENTS AND SIGNAGE LOCATION.
 3. CONTRACTOR TO COORDINATE WITH SIGN VENDOR FOR MOUNTING DETAILS. CONTRACTOR TO PROVIDE NECESSARY BLOCKING AND SUPPORT / FRAMING CONNECTIONS ACCORDINGLY.



1 EXTERIOR NORTH ELEVATION
A3.02 1/8" = 1'-0"

Exhibit C-2 - Part of Ordinance

Zoës Kitchen - Richardson

Fleetwood Square
222 W. Campbell Rd.
Richardson, TX



Tobin Starr + Partners
ARCHITECTURE : PLANNING : DESIGN

Tobin Starr + Partners, PLLC
1435 West Morehead Street, Suite 400
Charlotte, NC 28208
V: 704 377 5200 F: 704 377 5201
www.tobinstarr.com

© Tobin Starr + Partners, PLLC 2013

ISSUED FOR CONSTRUCTION:
07/09/2013

No.	Description	Date
1	CODE REVIEW COMMENTS	07/23/2013

REVISIONS

SHEET TITLE

EXTERIOR ELEVATIONS



SHEET NUMBER

A3.03

Tobin Starr + Partners Project | 1325016

- 1 RED FLAT LOCK MTL PANELS OVER BEIGE STUCCO
- 2 CONTINENTAL CAST STONE BEIGE
- 3 BRICK (STANDARD), ACME BRICK BLEND 100
- 4 AWNING
- 5 CORNICE AND TRIM, SW-7020 BLACK FOX
- 6 ACM PANELS OVER EXISTING GLASS BLOCK, COLOR TO MATCH STOREFRONT
- 7 RED FLAT LOCK MTL PANELS OVER EXISTING MASONRY BLOCK/BRICK

MASONRY TOTAL	REQUIRED: 85% PROVIDED: 91%
---------------	--------------------------------

SIGNAGE NOTES:

- SIGNAGE IS UNDER A SEPARATE PERMIT AND IS TO BE PROVIDED BY SIGNAGE VENDOR.
- CONTRACTOR TO PROVIDE POWER TO SIGN PER ELECTRICAL DRAWINGS. COORDINATE WITH SIGN VENDOR FOR REQUIREMENTS AND SIGNAGE LOCATION.
- CONTRACTOR TO COORDINATE WITH SIGN VENDOR FOR MOUNTING DETAILS. CONTRACTOR TO PROVIDE NECESSARY BLOCKING AND SUPPORT / FRAMING CONNECTIONS ACCORDINGLY.

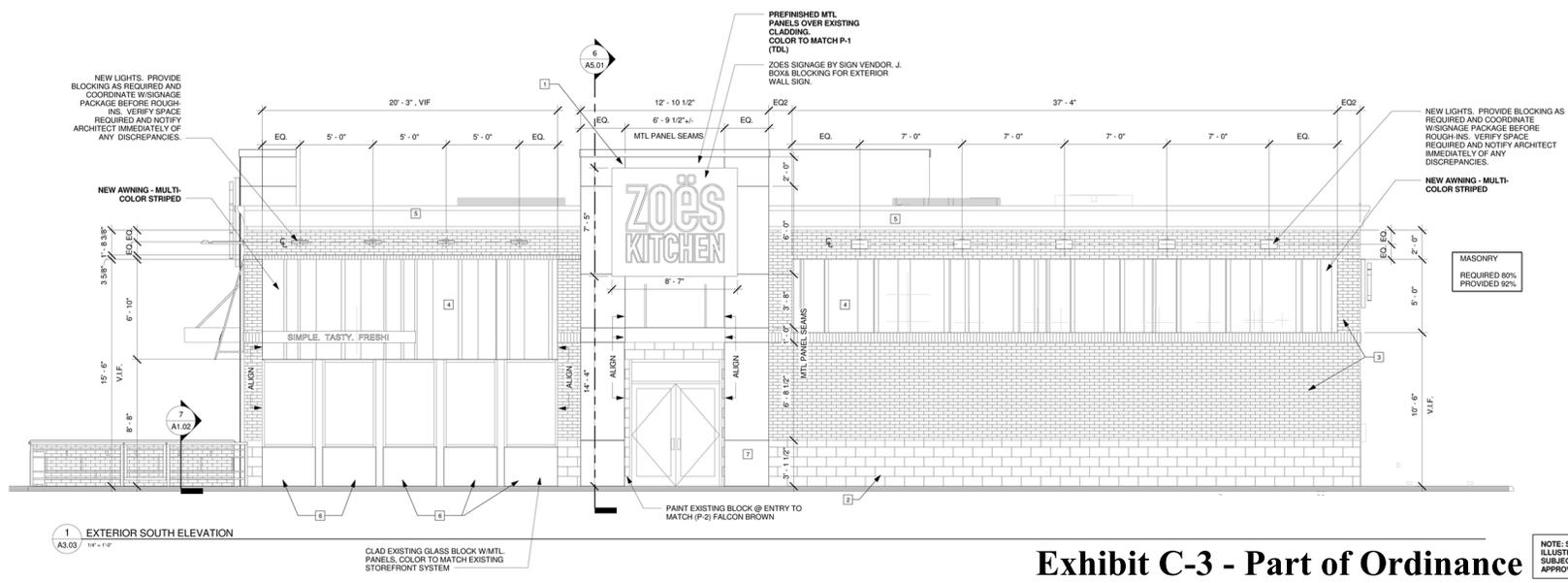
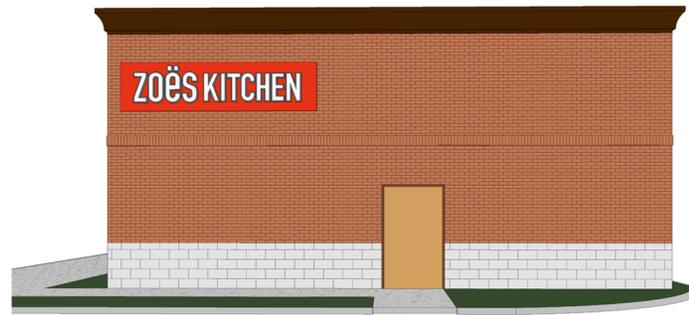


Exhibit C-3 - Part of Ordinance

NOTE: SIGNAGE FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO COMM. SERVICES APPROVAL.



**Zoës Kitchen -
Richardson**

Fleetwood Square
222 W. Campbell Rd.
Richardson, TX



Tobin Starr + Partners
ARCHITECTURE • PLANNING • DESIGN

Tobin Starr + Partners, PLLC
1435 West Morehead Street, Suite 240
Charlotte, NC 28208
P: 704.377.5206 F: 704.377.5204
www.tobinstarr.com

DESIGNERS

© Tobin Starr + Partners, PLLC 2013

ISSUED FOR CONSTRUCTION:
07/09/2013

No.	Description	Date
1	CODE REVIEW COMMENTS	07/23/2013

REVISIONS

SHEET TITLE

EXTERIOR VIEWS

Exhibit D



SHEET NUMBER

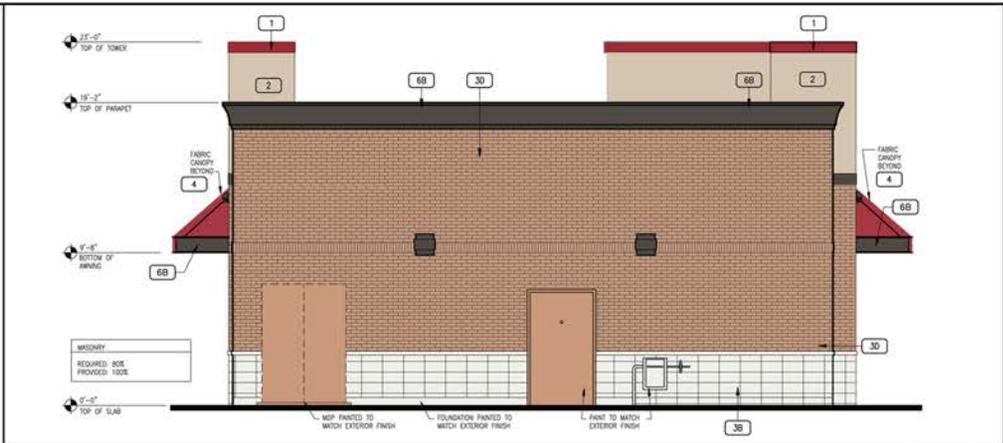
A3.04

Tobin Starr + Partners, PLLC | 1322066



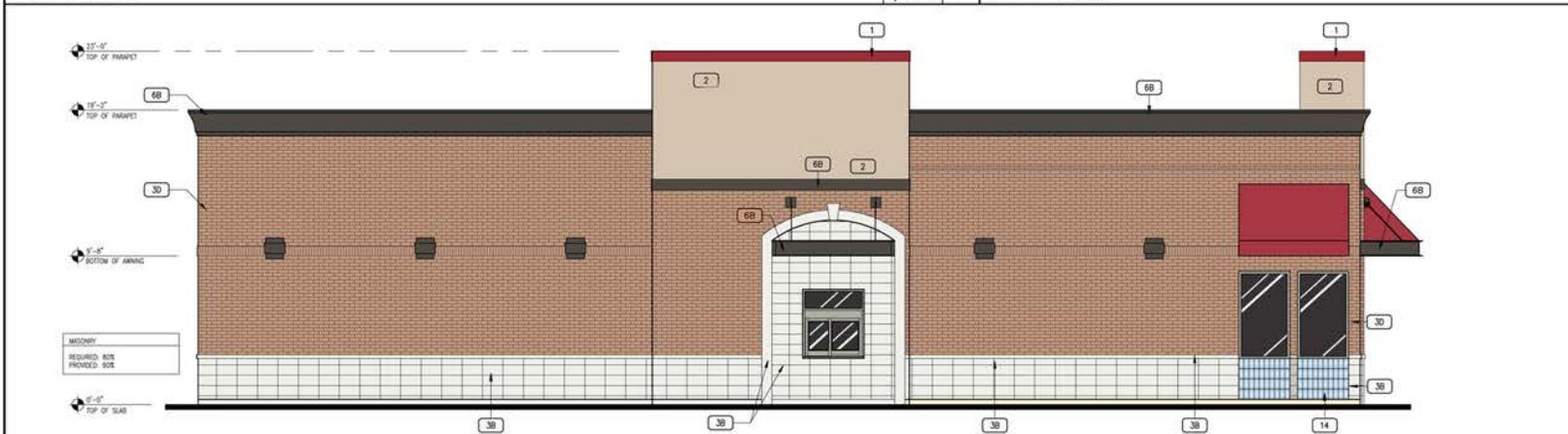
WEST ELEVATION

SCALE: 1/4"=1'-0" 1



EAST ELEVATION

SCALE: 1/4"=1'-0" 2



NORTH ELEVATION

SCALE: 1/4"=1'-0" 3



SOUTH ELEVATION

SCALE: 1/4"=1'-0" 4

1 STUCCO TRIM SW-8268 HEARTHROB	2 STUCCO SW-8107 NOMADIC DESERT
4 AWNING JOHN BOYLE- 627 SCARLET SUPREME	30 CONTINENTAL CAST STONE BEIGE
30 ACME BRICK BLEND 100	14 GLASS BLOCK
68 ACCENTS SW-7020 BLACK FOX	
MASONRY TOTAL REQUIRED: 85% PROVIDED: 91%	

NOTE
SIGNAGE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY & SUBJECT TO BUILDING INSPECTION APPROVAL

Exhibit E Approved Color Elevations

SCALE: 1/4"=1'-0" 5

SCALE: NTS 5



(1)

Looking Northwest at Existing Restaurant



(2)

Looking Northeast at Existing Restaurant



(3)

Looking Southeast at Existing Restaurant



(1)

Zoe's Kitchen
Preston & Park (Plano)



LEN



**Zoe's Kitchen
Preston & Park (Plano)**

(2)

Explanation and Description of Request

Please see the description of the items we are requesting to change below:

1. The color of the awnings. We are requesting this change to reflect our signature branded awnings. Our exterior awnings are a very important part of our brand image as a growth company. We consider our Zoe's branded awnings to be similar in importance to McDonald's Golden Arches. (Colors: Red, orange, brown, white, green, small amount of light blue.)
2. Additional awning. The additional awning is a design add that we are incorporating with similar intent listed above. It is also another way to brand the building by not undergoing any major building alterations.
3. The flat lock panels in the store front. These are being added (color to match existing storefront) to cover the existing glass block on the Carl's Jr. building as a way to separate our new design from the existing building look. The intent is a simple way to change the look of the building without having to completely replace existing storefront. These panels are decor items and have no structural significance.
4. Flat lock panels on the existing tower elements. These panels are to give new look to the existing tower elements with the intent, again, to get away from the Carl's Jr. and create a "Zoe's Kitchen look". The color on these is "tawny day lily" which is a red variation.
5. Planter box on the patio. This is intended to dress up the patio as well as provide a bit of a screen for guests on the patio to the drive isle. The brick will match the existing building.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

SPECIAL PERMIT

File No./Name: ZF 13-15 / Zoe's Kitchen
Property Owner: Kamyar Mateen / Star of Texas Real Estate LLC
Applicant: Matt Wells / Zoe's Kitchen
Location: 222 W. Campbell Road
(See map on reverse side)
Current Zoning: C-M Commercial
Request: A request by Matt Wells, Zoe's Kitchen, to amend a Special Permit for a restaurant with drive-through service for revised building elevations.

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

TUESDAY, AUGUST 20, 2013
7:00 p.m.
City Council Chambers
Richardson City Hall, 411 W. Arapaho Road
Richardson, Texas

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

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

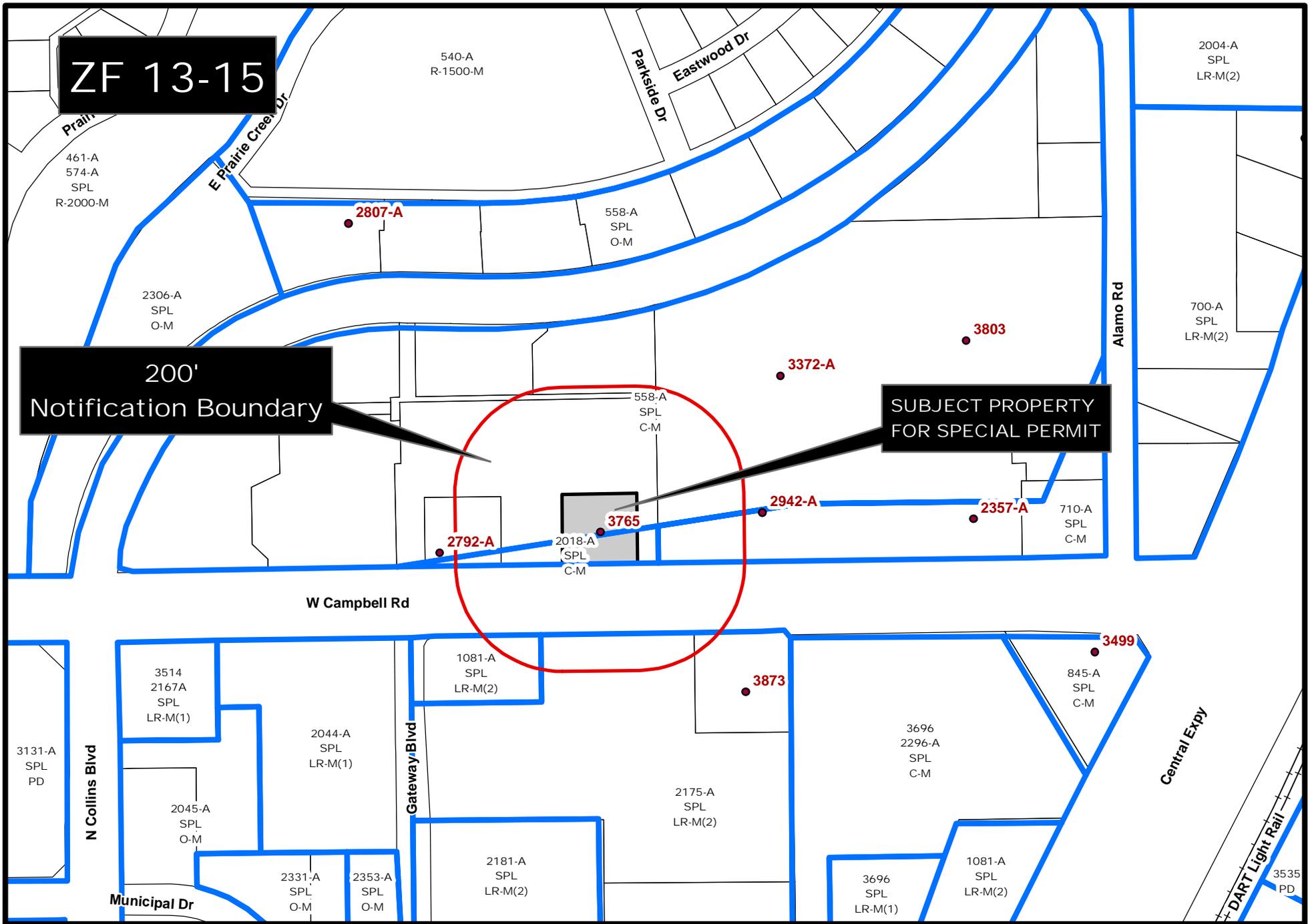
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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

Agenda: The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1331>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 13-15.

Date Posted and Mailed: 08/09/2013



ZF 13-15 Notification Map

Updated By: shacklett, Update Date: August 5, 2013
 File: DSI\Mapping\Cases\Z\2013\ZF1315\ZF1315 notification.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



KIR RICHARDSON LP
3333 NHP RD STE 1 STE 100
NEW HYDE PARK, NY 11042-1225

RHODES PROPERTIES
613 EASY ST
GARLAND, TX 75042-6812

CANYON CREEK DUNHILL LLC
3100 MONTICELLO AVE #300
DALLAS, TX 75205-3433

PROPERTIES OF NORTH TEXAS
999 W FOREST GROVE RD
ALLEN, TX 75002-8449

STAR OF TEXAS REAL ESTATE I
11041 STA MON BLVD #508
LOS ANGELES, CA 90025-3523

POTTS GEORGE G ET AL
12130 VENDOME PL
DALLAS, TX 75230-2236

275 CAMPBELL PTNRS LTD
15280 ADDISON RD #301
ADDISON, TX 75001-4548

BURGER KING WEST
% PPTY TAX ACCOUNTANT
PO BOX 20783
MIAMI, FL 33102-0783

SOUTH VALLEY DRIVE LLC
PO BOX 1027
ANNA MARIA, FL 34216-1027

KAMYAR MATEEN
STAR OF TEXAS REAL ESTATE LLC
10850 WILSHIRE BLVD #1050
LOS ANGELES, CA 90024

MATT WELLS
ZOE'S KITCHEN
5700 GRANITE PKWY #455
PLANO, TX 75024

ZF 13-15
Notification List

ORDINANCE NO. 3765

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 TO A SPECIAL PERMIT FOR A DRIVE-THRU RESTAURANT WITH SPECIAL CONDITIONS ON A 0.46-ACRE TRACT OF LAND ZONED C-M COMMERCIAL, DESCRIBED AS LOT 5B, FLEETWOOD SQUARE IN DALLAS COUNTY, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; BY REPEALING ORDINANCE NO. 2412-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 0907).

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; and

WHEREAS, the City Plan Commission recommended a variance be granted by the City Council for a reduction in the required parking for the drive-thru restaurant; **NOW THEREFORE**,

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

SECTION 1. That Ordinance No. 2412-A, adopted on April 2, 1984 is hereby repealed.

SECTION 2. 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 by granting a Special Permit for a drive-thru restaurant with special conditions on a 0.46-acre tract of land zoned C-M Commercial located at 222 W. Campbell Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 3. That Special Permit for a drive-thru restaurant is granted subject to the following special conditions:

1. The drive-thru restaurant, as defined in the Comprehensive Zoning Ordinance, is limited to the area shown on the Concept plan, attached as Exhibit "B", and made a part hereof, and which is hereby approved.
2. The property shall be developed and used only in accordance with the Concept Plan, and the building elevations attached as Exhibits "C-1" and "C-2", and which are hereby approved.
3. The required parking for use of the property for a drive-thru restaurant as shown on the Concept Plan is reduced from 29 parking spaces to 26 parking spaces.
4. A minimum 6.5-foot landscape buffer shall be provided.

SECTION 4. 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 5. 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 6. 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.

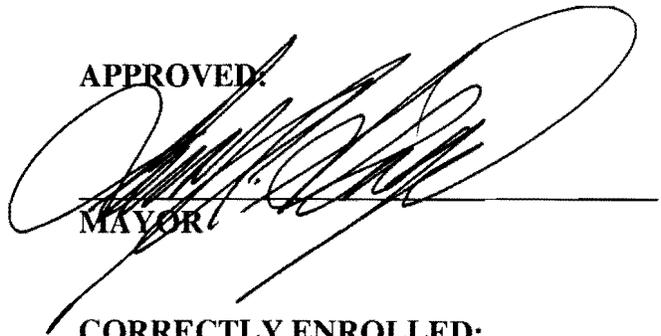
SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. 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) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. 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 26th day of October, 2009.

APPROVED:



A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and loops around.

MAYOR

APPROVED AS TO FORM:



A handwritten signature in black ink, written over a horizontal line. The signature is cursive and reads "Peter H. Smith".

CITY ATTORNEY
(PGS:39957)

CORRECTLY ENROLLED:



A handwritten signature in black ink, written over a horizontal line. The signature is cursive and reads "Pamela Schmidt".

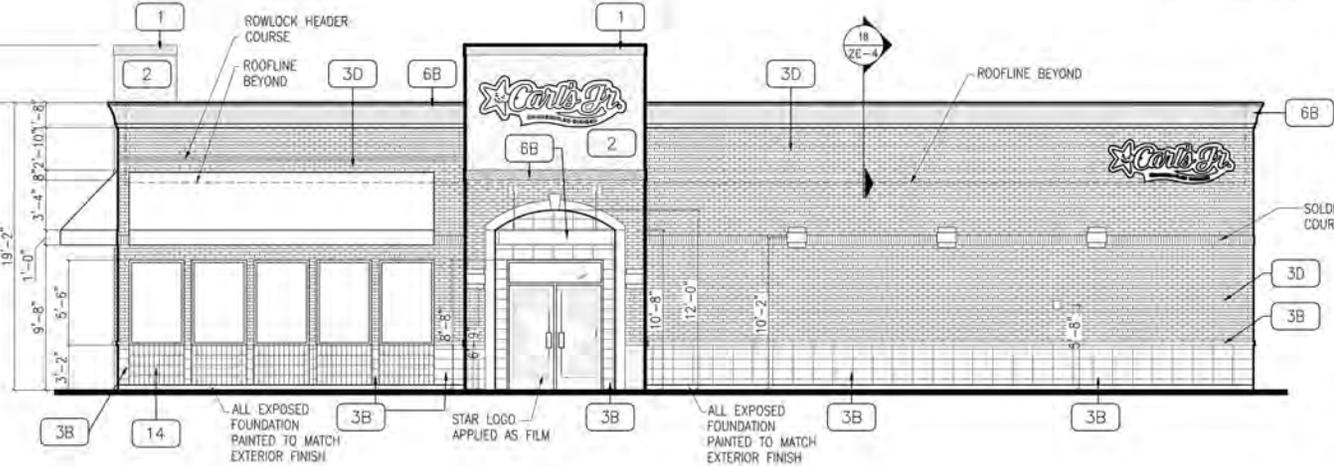
CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 09-07

A 0.46-acre tract of land platted as Lot 5B, Fleetwood Square, as recorded in Volume 84072, Page 2043, Deed Records, Dallas County, Texas

NOTE
SIGNAGE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY & SUBJECT TO BUILDING INSPECTION APPROVAL

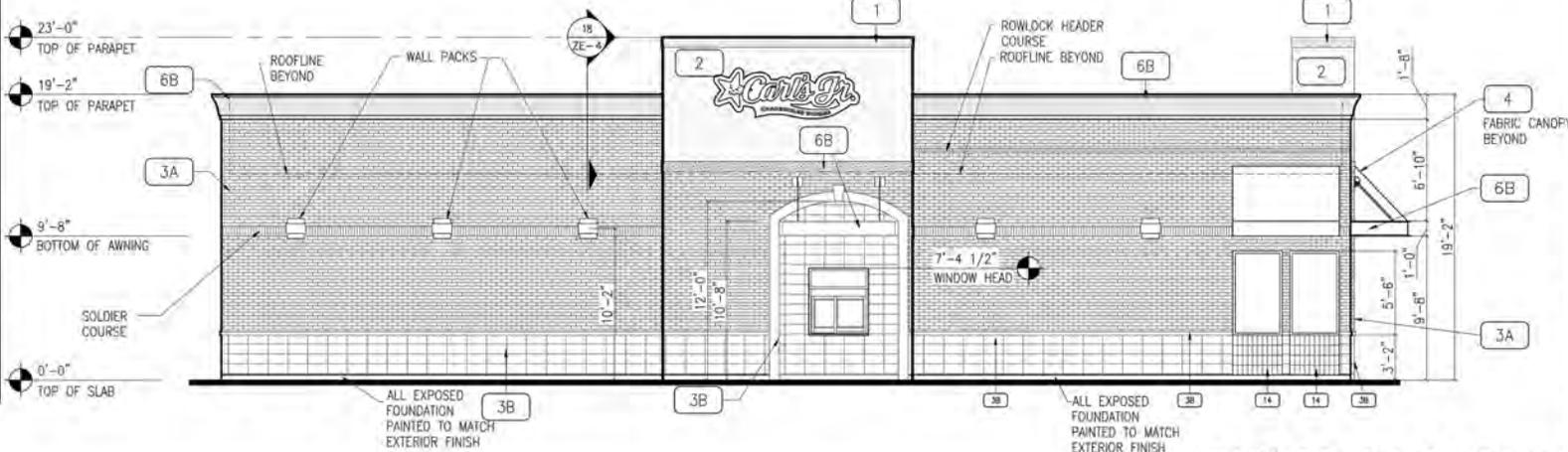
- 23'-0" TOP OF TOWER
- 19'-2" TOP OF PARAPET
- 9'-8" BOTTOM OF AWNING
- 8'-8" TOP OF WINDOW
- 0'-0" TOP OF SLAB



SOUTH ELEVATION

SCALE: 1/4"=1'-0" 1

1 TRIM SW-6866 HEARTHROB	2 STUCCO SW-6107 NOMADIC DESERT
3B CONTINENTAL CAST STONE BEIGE	3D ACME BRICK BLEND 100
4 AWNING JOHN BOYLE 627-SCARLET SUPREME	6B EIFS CORNICE & TRIM SW-7020 BLACK FOX
14 GLASS BLOCK	
MASONRY TOTAL	
REQUIRED: 85%	
PROVIDED: 91%	



NORTH ELEVATION

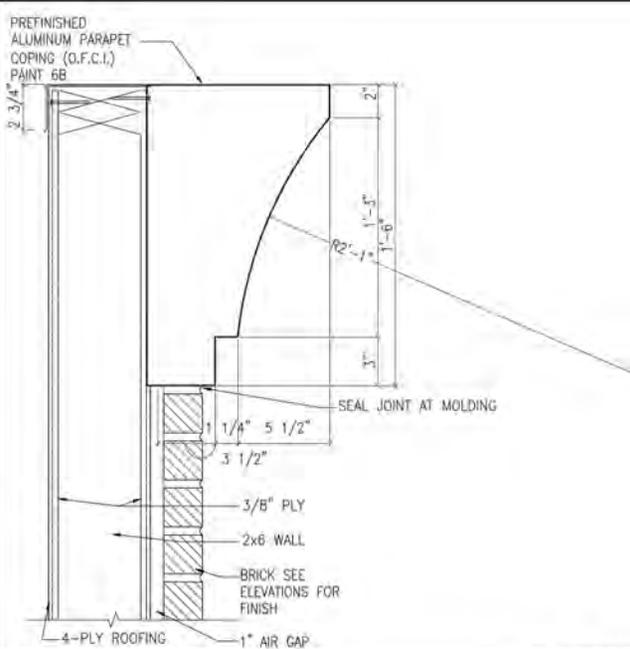
SCALE: 1/4"=1'-0" 3

These drawings are the property of C&JL WÄCHER ENTERPRISES, INC. and shall not be copied or reproduced without expressed written permission.
INTERPLA
 ARCHITECT
 INTERIOR DESK
 PROJECT MANAGER
 4500 BELT LINE ROAD DE. 1
 AUSTIN, TX 78754
 512-453-9288
 512-453-9202
SFIG
 REAL ESTATE INVESTMENT GROUP, LLC
 1085 WILSHIRE BLVD., SUITE 400
 LOS ANGELES, CA 90049
 (310) 991-9650
Carl's Jr.
 C&JL WÄCHER ENTERPRISES, INC. 2008
 PROTOTYPE T25-C-52
 222 W. CAMPBELL ROAD
 RICHARDSON, TX 75080
ZONING EXHIBIT
EXTERIOR
ELEVATIONS
 CKE VERSION - PROTOTYPE T25-C72R 05/22/2009
 SHEET NO. 027000.07
 SCALE: 1/4"=1'-0"
 SHEET
ZE-5
 NOT ISSUED FOR CONSTRUCTION

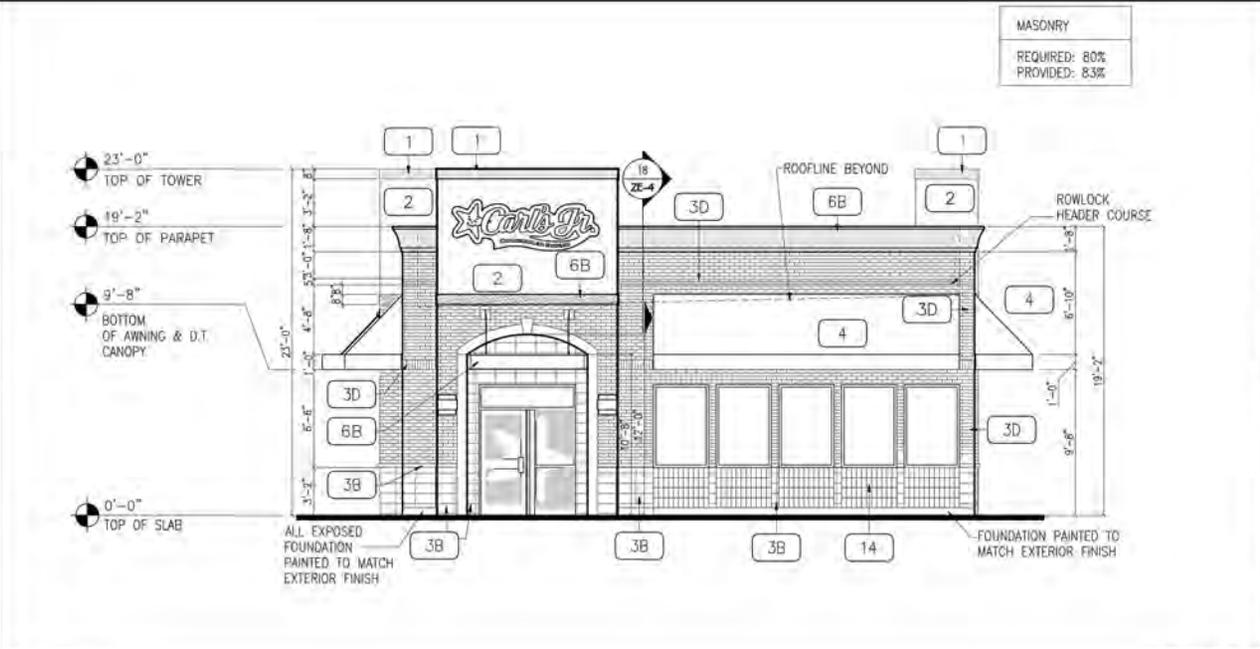
Exhibit C-2 - Part of Ordinance

These drawings are the property of CARL HARTCHER ENTERPRISES, INC. and shall not be copied or reproduced without expressed written permission.

C/E VERSION - PROTOTYPE T25-C72R 05/22/2009



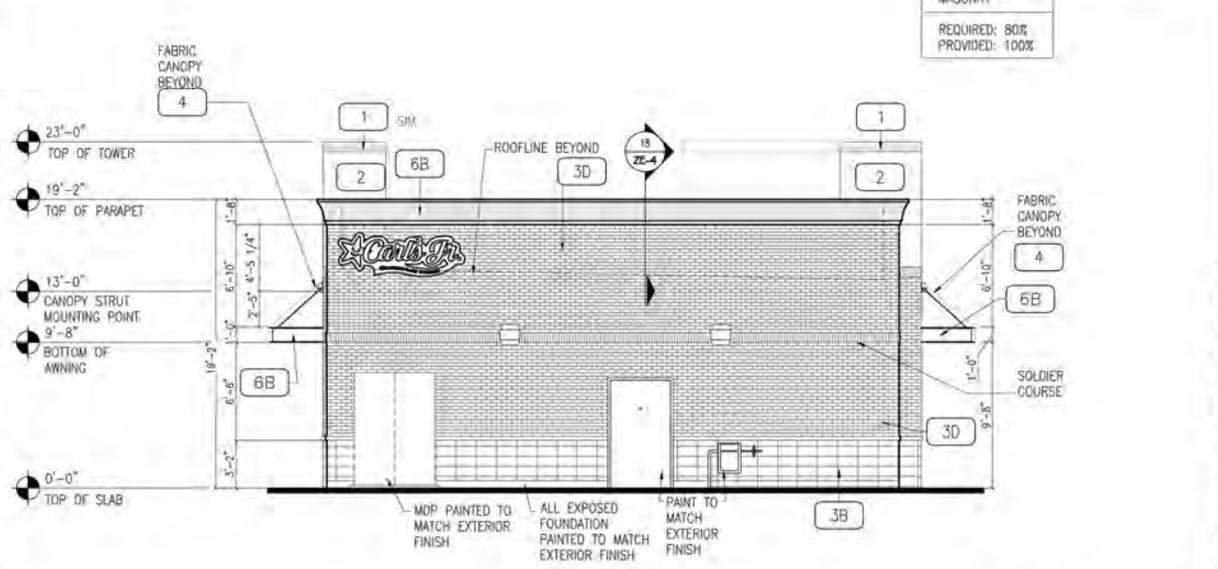
CORNICE DETAIL SCALE: 1/8\"/>



WEST ELEVATION SCALE: 3/8\"/>

NOTE
SIGNAGE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY & SUBJECT TO BUILDING INSPECTION APPROVAL

1 TRIM SW-6866 HEARTHROB	2 STUCCO SW-6107 NOMADIC DESERT
3B CONTINENTAL CAST STONE BEIGE	3D ACME BRICK BLEND 100
4 AWNING JOHN BOYLE 627-SCARLET SUPREME	6B EIFS CORNICE & TRIM SW-7020 BLACK FOX
14 GLASS BLOCK	
MASONRY TOTAL	
REQUIRED: 85%	
PROVIDED: 91%	



EAST ELEVATION SCALE: 1/4\"/>

Exhibit C-1 - Part of Ordinance

SCALE: 1/4\"/>



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, September 9, 2013

Agenda Item: Consider Ordinance No. 4018, approving and adopting a budget for the Fiscal Year beginning October 1, 2013 and ending September 30, 2104.

Staff Resource: Dan Johnson, City Manager

Summary: On July 16 and 17, 2013, the Richardson City Council held a Budget Retreat at which City Staff provided the City Council with a status report on the current 2012-2013 revenues and expenditures and reviewed the City Council preliminary revenue and expenditure projections for the 2013-2014 Fiscal Year.

The City Manager filed a Proposed Budget for the Fiscal Year 2013-2014 on Friday, August 2, 2013 in accordance with the City Charter and State Law. The Proposed Budget was presented in detail by the City Manager during an August 5, 2013 Worksession. A copy of the Proposed Budget and the Worksession presentation is available online.

The City Council received public input on the proposed budget at a Public Hearing on Monday, August 19, 2013. A copy of the Public Hearing presentation is also available online.

Board/Commission Action: N/A

Action Proposed: Consider Ordinance No. 4018, approving and adopting for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014.

ORDINANCE NO. 4018

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as required by Section 11.02 of the City Charter, the City Manager has prepared and submitted to the City Council a proposed budget reflecting financial policies for the year and forecasting revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for the fiscal year beginning October 1, 2013, and ending September 30, 2014; and

WHEREAS, the City Council has received the City Manager's proposed budget, a copy of which and all supporting schedules have been filed with the City Secretary of the City of Richardson, Texas; and

WHEREAS, the City Council has conducted the necessary public hearings as required by law; and

WHEREAS, The City Council desires to authorize funding of such benefits, as herein provided;

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

SECTION 1. That the proposed budget of the revenue and expenditures necessary for conducting the affairs of the City of Richardson, Texas, said budget being in the amount of \$207,421,545, providing a complete financial plan for the fiscal year beginning October 1, 2013, and ending September 30, 2014, as submitted to the City Council by the City Manager, a copy of which is on file in the City Secretary's Office and incorporated herein by reference, be and the same is hereby adopted and approved as the budget of the City of Richardson, Texas for the fiscal year beginning October 1, 2013, and ending September 30, 2014.

SECTION 2. That the sum of \$207,421,545 is hereby appropriated for the payment of the expenditures established in the approved budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014.

SECTION 3. That the expenditures during the fiscal year beginning October 1, 2013, and ending September 30, 2014 shall be made in accordance with the budget approved by this ordinance unless otherwise authorized by a duly enacted ordinance of the City of Richardson, Texas.

SECTION 4. That all budget amendments and transfers of appropriations budgeted from one account or activity to another within any individual activity for the fiscal year 2012-2013 are hereby ratified, and the budget Ordinance for fiscal year 2012-2013, heretofore enacted by the City Council, be and the same is hereby, amended to the extent of such transfers and amendments for all purposes.

SECTION 5. That specific authority is given to the City Manager to make the following adjustments:

1. Transfer of appropriations budgeted from one account classification to another account classification within the same department.
2. Transfer of appropriations from designated appropriation from one department or activity to another department or activity within the same fund.

SECTION 6. Effective January 1, 2014 and continuing thereafter until changed by the City Council the contribution of the City to health insurance premiums for City retirees who are at least 65 years of age and had been employed by the City for 20 or more years shall be limited to \$200.00 per month per retiree.

SECTION 7. That all notices and public hearings required by law have been duly completed.

SECTION 8. That all provisions of the Ordinances of the City of Richardson, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City of Richardson, Texas not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 9. That should any word, 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.

SECTION 10. This Ordinance shall take effect from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of September, 2013.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS/8-8-13:TM 61728)



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, September 9, 2013

Agenda Item: Consider Ordinance No. 4019, levying the ad valorem taxes for the year 2013 (Fiscal Year 2013-2014) at a rate of \$0.63516 per one hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the City of Richardson as of January 1, 2013.

Staff Resource: Dan Johnson, City Manager

Summary: On July 16 and 17, 2013, the Richardson City Council held a Budget Retreat at which City Staff provided the City Council with a status report on the current 2012-2013 revenues and expenditures and reviewed the City Council preliminary revenue and expenditure projections for the 2013-2014 Fiscal Year.

The City Manager filed a Proposed Budget for the Fiscal Year 2013-2014 on Friday, August 2, 2013 in accordance with the City Charter and State Law. The Proposed Budget was presented in detail by the City Manager during an August 5, 2013 Worksession. A copy of the Proposed Budget and the Worksession presentation is available online.

On August 19 and 26, the Richardson City Council held public hearings on the Proposed Tax Rate for Fiscal Year 2013-2014.

Board/Commission Action: N/A

Action Proposed: Consider Ordinance No. 4019, levying the ad valorem taxes for the year 2013 (Fiscal Year 2013-2014) at a rate of \$0.63516 per one hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the City of Richardson as of January 1, 2013.

ORDINANCE NO. 4019

AN ORDINANCE OF THE CITY OF RICHARDSON LEVYING THE AD VALOREM TAXES FOR THE YEAR 2013 (Fiscal Year 2013-2014) AT A RATE OF \$0.63516 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHARDSON AS OF JANUARY 1, 2013, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF RICHARDSON; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That there be and is hereby levied for the year 2013 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Richardson, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.63516 on each one hundred dollars (\$100) assessed valuation of taxable property, and shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenditures of the municipal government of the City of Richardson, a tax of \$0.36531 on each one hundred dollars (\$100) assessed value on all taxable property.
- (b) For the purpose of creating a sinking fund to pay the interest and principal maturities of all outstanding debt of the City of Richardson, not otherwise provided for, a tax of \$0.26985 on each one hundred dollars (\$100) assessed value of taxable property within the City of Richardson, and shall be applied to the payment of interest and maturities of all such outstanding debt.

SECTION 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 4.13 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$2.50.

SECTION 3. That all ad valorem taxes shall become due and payable on October 1, 2013, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2014. There shall be no discount for payment of taxes prior to February 1, 2014. A delinquent tax shall incur all penalty and interest authorized by law, to wit:

- (a) A penalty of six per cent on the amount of the tax for the first calendar month it is delinquent, plus one percent for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent.
- (b) Provided, however, a tax delinquent on July 1, 2014 incurs a total penalty of twelve per cent of the amount of delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at the rate of one percent for each month or portion of a month the tax remains unpaid. Taxes for the year 2013 and taxes for all future years that become delinquent on or after February 1 but not later than May 1, that remain delinquent on July 1 of the year in which they become delinquent, incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and 33.07, as amended. Taxes assessed against tangible personal property for the year 2013 and for all future years that become delinquent on or after February 1 of a year incur an additional penalty on the later of the date the personal property taxes become subject to the delinquent tax attorney's contract, or 60 days after the date the taxes become delinquent, such penalty to be in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 33.11. Taxes for the year 2013 and taxes for all future years that remain delinquent on or after June 1 under Texas Property Tax Code Sections 26.07(f), 26.15(e), 31.03, 31.031, 31.032 or 31.04 incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and Section 33.08, as amended.

SECTION 4. That taxes are payable at the Dallas County Tax Office if property is located in Dallas County, or at the Collin County Tax Office if property is located in Collin County. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

SECTION 5. That the tax roll as presented to the City Council, together with any supplements thereto, be and the same are hereby approved.

SECTION 6. That all 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 7. 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 thereof decided to be unconstitutional, illegal or invalid.

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of September, 2013.

APPROVED:

MAYOR

DULY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:8-20-13:TM 61898)



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, September 9, 2013

Agenda Item: Consider Ratifying Property Tax Increase in the Adopted Budget for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014.

Staff Resource: Dan Johnson, City Manager

Summary: On July 16 and 17, 2013, the Richardson City Council held a Budget Retreat at which City Staff provided the City Council with a status report on the current 2012-2013 revenues and expenditures and reviewed the City Council preliminary revenue and expenditure projections for the 2013-2014 Fiscal Year.

The City Manager filed a Proposed Budget for the Fiscal Year 2013-2014 on Friday, August 2, 2013 in accordance with the City Charter and State Law. The Proposed Budget was presented in detail by the City Manager during an August 5, 2013 Worksession. A copy of the Proposed Budget and the Worksession presentation is available online.

This particular action item is in response to requirements included in Section 102.007(c) of the Texas Local Government Code.

Board/Commission Action: N/A

Action Proposed: Consider Ratifying Property Tax Increase Reflected in the Adopted Budget for the Fiscal Year Beginning October 1, 2013 and ending September 30, 2014.

ORDINANCE NO. 4020

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING SECTION 23-98 TO ESTABLISH RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 23-98 of the Code of Ordinances, City of Richardson, Texas, be and the same is hereby amended in part to read as follows:

“Sec. 23-98 Water rates.

The following monthly rates are hereby established and shall be collected for water services furnished by the city, based upon cost of service and water usage:

- (1) Monthly minimum charge.....\$8.00
- (2) Water Usage:
 - (a) 0 – 11,000 gallons, per 1,000 gallons\$4.03
 - (b) 11,001 – 20,000 gallons, per 1,000 gallons.\$4.36
 - (c) 20,001 – 40,000 gallons, per 1,000 gallons.\$4.55
 - (d) 40,001 – 60,000 gallons, per 1,000 gallons.\$5.29
 - (e) All over 60,000 gallons, per 1,000 gallons.\$5.53
- (3) Apartments will be treated and billed as a commercial water account.
- (4) Municipal water rate (city usage), per 1,000 gallons.....\$1.88
- (5) Homeowner associations responsible for maintaining common areas in a residential subdivision may make application to the water customer service office for a discount of 40 percent of the water usage charges for water used through an irrigation meter for irrigation purposes. Such discount shall be applied to the

monthly billing for such water service after the homeowner association has provided satisfactory proof of such water usage.”

SECTION 2. That all provisions of the ordinances of the City of Richardson, Texas in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson, Texas 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. This Ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide, however the water rates established herein shall take effect the first billing after November 1, 2013.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of September, 2013.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:8-8-13:TM 61731)

ORDINANCE NO. 4021

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING SECTION 23-168 TO ESTABLISH RATES TO BE CHARGED FOR SEWER SERVICES FURNISHED BY THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 23-168 of the Code of Ordinances, City of Richardson, Texas, be and the same is hereby amended in part to read as follows:

“Sec. 23-168. Sewerage rates.

The following monthly rates are hereby established and shall be collected for sewer services furnished by the city, based upon cost of service and water usage.

- (1) Any residential customer that uses water that is not discharged into the wastewater system at a rate of 98 percent may do one of the following:
 - a. any customer using water that is not discharged into the wastewater system may, at the customer’s expense, install a separate water meter for such use, and the volume of water as determined by such meter shall be excluded in calculating monthly sewer rates;
 - b. any customer using water that is discharged into the wastewater system and who also has a meter for water not discharged into the wastewater system, will be charged at the rate for 98 percent consumption for each month for the meter that discharges into the wastewater system but shall not be charged for the meter that does not discharge into the system.

- (2) Summary of charges:
 - a. Minimum charge.....\$8.00
 - b. Rates per 1,000 gallons and portion of metered water:
 - 0 – 11,000 gallons\$2.87
 - All over 11,000 gallons.....\$5.68
 - c. Apartments will be treated as commercial accounts for sewer billing purposes.

- d. A sewer cap for each residential customer will be determined annually by the use of a three-year winter average and will be in effect for a 12-month time period.
 - e. The winter average will be based upon the total consumption for November, December, January, and February for the three previous years. The consumption total will be divided by 12 and then multiplied by 0.98 to determine the average.
- (3) Any commercial customer that uses water that is not discharged into the wastewater system at a rate of 100 percent may do one of the following:
- a. any commercial customer using water that is not discharged into the wastewater system may, at the customer's expense, install a separate water meter for such use, and the volume of water as determined by such meter shall be excluded in calculating monthly sewer rates;
 - b. any commercial customer using water that is discharged in the wastewater system at a rate less than 100 percent may, at the customer's expense, install a separate metering device for wastewater that is approved by the Director of Public Services for such use, and the volume of wastewater as determined by such metering device shall be used as a basis of charge for service.
 - c. any customer using water that is discharged into the wastewater system and who also has a meter for water not discharged into the wastewater system, will be charged at the rate of 100 percent consumption for each month for the meter that discharges into the wastewater system but shall not be charged for the meter that does not discharge into the system.
- (4) Municipal sewer rate (city usage) per 1,000 gallons\$2.81”

SECTION 2. That all provisions of the ordinances of the City of Richardson, Texas in conflict with the provisions of this ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson, Texas 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. This Ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide, however the sewerage rates established herein shall take effect the first billing after November 1, 2013.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of September, 2013.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:8-8-13:TM 61730)

ORDINANCE NO. 4022

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 19, SOLID WASTE, BY AMENDING ARTICLE I AND ARTICLE II IN PART TO PROVIDE FOR CERTAIN SOLID WASTE COLLECTION SERVICES BY FRANCHISE OR PERMIT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 19, Solid Waste, in part to read as follows:

“ARTICLE I. IN GENERAL

Sec. 19-1. Definitions.

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

Apartment means a household unit arranged or designed for occupancy by a family, including, but not limited to, a subordinate dwelling occupied as a garage apartment or a servant's quarters.

Apartment house means a building or buildings, or any portion thereof, arranged or designed for, or occupied by, two or more families.

Boardinghouse means a building or portion thereof, other than a hotel, where lodging and meals for five or more persons are served for compensation.

Construction and demolition debris (C&D) shall mean materials that consist of the debris generated during the construction, renovation, and demolition of buildings, roads, and bridges. C&D materials often contain bulky, heavy materials, such as concrete, wood, metals, glass, and salvaged building components.

Contractor or private hauler shall mean such private firm as may be designated by the city or franchised or permitted by the city for the collection, transportation and/or disposal of solid waste, construction and demolition debris, and/or recyclable materials.

Director of Public Services means director of public services of the city or his authorized agent.

Family means one or more individuals living and cooking as a single housekeeping unit.

Front-loading container means a container used for the storage and pickup of garbage, trash and debris, such container being in excess of three cubic yards but no more than eight cubic yards.

Garbage means, among other similar matter, all animal or vegetable matter, such as waste material and refuse from kitchens, residences, grocery stores, butcher shops, restaurants, cafes, hotels, rooming houses and boardinghouses, and other deleterious or putrescible matter.

Hotel means the space in a building designed for occupancy as a more or less temporary abiding place of individuals who are lodged with or without meals in which there are more than 12 sleeping rooms and in which, as a rule, the rooms are occupied singly for hire, and provision is not usually made for cooking in any individual apartment.

Mechanically loaded refuse container means a container constructed in accordance with plans of the city for refuse containers and which can be loaded with the mechanical loading equipment operated by the city.

Non-collectible waste means brick, lumber, plaster, concrete, large tree trunks, stumps, metal scrap, construction or remodeling materials, animal carcasses, demolition or fire debris, or any other material that produces excessive weight and/or that may damage the container or the collection vehicle.

One-family residence means a detached building having accommodations for, and occupied by, one family.

Prohibited waste means material named as such by the Texas Water Quality Board, Environmental Protection Agency, Texas Department of Health Research, or any other federal, state or local agency having jurisdiction, which shall not be placed for collection or delivery to the sanitary landfill.

Receptacle means any disposable container which may be discarded, such as plastic bags of not less than two-mil thickness, trash compactor bags, or any other weatherproof disposable container equal in strength and quality to the disposable bags specified or provided by the city.

Recyclable materials shall mean materials that have been recovered or diverted from the nonhazardous waste stream for purposes of reuse, recycling, or reclamation, a substantial portion of which is consistently used in the manufacture of products that may otherwise be produced using raw or virgin materials.

Roll-off container means a unit used to store refuse and/or garbage, which unit must be serviced by a truck equipped with a roll-off frame.

Rooming house means a building or portion thereof, other than a hotel, where five or more persons are lodged for compensation.

Solid waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from industrial, municipal, commercial, mining and agricultural operations, and from community and institutional activities, but does not include:

- (1) Solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued pursuant to V.T.C.A., Water Code ch. 26;
- (2) Soil, dirt, rock, sand and other natural or manmade inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements; or
- (3) Waste materials which result from activities associated with the exploration, development or production of oil or gas or geothermal resources, and any other substance or material regulated by the Railroad Commission of Texas pursuant to V.T.C.A., Natural Resources Code § 91.101.

Solid Waste Division of the Department of Public Services means either the solid waste division of the department of public services of the city or the duly authorized agents of such division.

Solid waste superintendent means either the superintendent of solid waste, his superiors, or his duly authorized agents.

Trash means rubbish, such as paper, boxes, grass, shrubs, yard cleanings, yard clippings, leaves, tree trimmings, weeds, hedge trimmings and similar matter, or solid waste that does not include any non-collectible or prohibited material.

Two-family residence means a detached building having separate accommodations for and occupied as a dwelling by not more than two families, one family in each dwelling unit.

Waste means, among other similar matter, all bottles, cans, containers, boxes, paper, plastic and other putrescible material.

Sec. 19-2. Investigation and enforcement.

It shall be the duty of the director of health or the superintendent of the solid waste division of the department of public services of the city or his authorized representative to make all necessary inspections and investigations of any and all premises, business establishments and private residences to enforce the provisions of this chapter.

Sec. 19-3. Dumping.

- (a) No person shall dump, throw or place any garbage, rubbish, refuse, junk, ashes, filth, wastepaper, weeds, grass cuttings, rock, recyclable materials, or other waste matter of whatever kind in or on any public street, alley or other public property.
- (b) No person shall dump, throw or place any garbage, rubbish, refuse, junk, ashes, filth, wastepaper, weeds, grass cuttings, rock, recyclable materials, or other waste matter of whatever kind in or on any private property in the city except in connection with the removal or cutting of the same.

Sec. 19-4. Collection.

- (a) *General.* All persons, companies, corporations, businesses, residential, industrial and commercial establishments within the city shall be required to use the solid waste, construction and demolition debris, and recycling disposal services provided by the city or by one or more contractors or private haulers operating under a franchise or permit granted by the city as provided herein. Except as otherwise provided in this Chapter, it shall be unlawful for any person, business, company or corporation to use the public streets, alleys or public thoroughfares within the corporate limits for the purpose of engaging in the business of collection, transport or disposal of solid waste, recycling materials and C&D without first having obtained a franchise or permit from the city.
- (b) *Construction and Demolition Debris.* C&D in the city shall be collected by one (1) or more contractors which shall operate under a franchise or permit granted by the city as provided herein. Such contractors shall contract directly with the customer, and bill and invoice such customers for the services.
- (c) *Commercial and Multi-family Recycling Materials.* Commercial and Multi-family Recycling materials shall be collected in the city by one (1) or more contractors which shall operate under a franchise or permit granted by the city as provided herein. Such contractors shall contract directly with the customer, and bill and invoice such customers for the services. In multi-family complexes the owner, apartment manager or other responsible party shall contract directly with a city contractor.
- (d) *Exclusive Services.* The city shall be the exclusive provider of the following services: solid waste collection for residential customers; solid waste collection for commercial customers; solid waste collection for multiple-family customers; collection for bulky items; commercial roll-off services; and residential recycling collection services. Customers of such services shall pay such charges as are established by the city council from time to time.

Sec. 19-5. Disposal.

All contractors, private haulers or other person or entity providing solid waste collection and transportation services, and C&D collection and disposal services within the city pursuant to a franchise or permit shall deliver and dispose of the solid waste, and C&D collected within the city at such facilities owned, operated or designated by the North Texas Municipal Water District. C&D materials shall be delivered to the North Texas Municipal Water District's Regional Disposal Facility or other facility designated by North Texas Municipal Water District. It shall be unlawful for any person, contractor or private hauler to deliver and dispose of any solid waste, C&D or at any facility other than the North Texas Municipal Water District facilities.

Sec. 19-6. Construction and Demolition Debris.

- (a) *Permit.* It shall be unlawful for any person, company or corporation to engage in the business of the collection, transport and disposal of C&D, within the city without first having obtained a permit from the City. The permit shall be non-transferable.
- (b) *Application.* A person, company or corporation that desires to engage in the business of the collection, transport and disposal of C&D, within the city must submit an application on a form prescribed by the city to the Director of Public Services accompanied by a non-refundable permit application fee established by resolution of the city council from time to time. The permit application shall include the following:
 - (1) Applicant's name, address, phone number, email address, facsimile number, and form of business;
 - (2) Trade name under which the applicant will conduct business; and
 - (3) Certificate of insurance and copies of insurance policy endorsements for the types and amounts of insurance and endorsements as may be required by the city risk manager.
- (c) *Permit Expiration.* The permit expires October 1 of each year and may be renewed by making application as provided in this section accompanied by a permit renewal permit fee established by resolution of the city council from time to time.
- (d) *Permit Fee.* The permit holder shall pay an annual permit fee in an amount equal to five percent (5%) of the gross receipts on all revenue and income collected by or for the permit holder from any source derived from the operation of the business of the collection, transport and disposal of C&D, within the city. The permit holder shall remit the annual fee on a calendar quarter basis to the city finance department within

30 days after the end of each calendar quarter based on the revenues and income collected from the business of the collection, transport and disposal of C&D, within the city during the previous ending calendar quarter. Each quarterly payment shall be accompanied by an income statement verified and acknowledged by a management official of the permit holder which shows the revenue and income collected by or for the permit holder from any source derived from the operation of the business of the collection, transport and disposal of C&D, within the city. The permit holder shall be required to submit such other records and information as the Director of Public Services may reasonably request to verify the permit holder's gross receipts from the business operation of the disposal of, and the collection of C&D within the city.

- (e) *Permit Issuance.* The Director of Public Services shall issue a permit within 15 days after receipt of a completed application accompanied by the insurance certificates and policy endorsements as may be required by the city risk manager. The Director of Public Services may deny an application and request additional information to complete the application.
- (f) *Permit Revocation.* The Director of Public Services may revoke a permit for any one or more of the following reasons after 5 days prior written notice to the permit holder:
 - (1) Failure to maintain the required insurance or to provide sufficient proof thereof upon request of the city;
 - (2) Violation of the Code of Ordinances;
 - (3) Violation of any of the terms and conditions set forth in the permit;
 - (4) Transporting materials to an unauthorized facility; and
 - (5) Failure to timely pay the annual permit fee.

The permit holder may appeal the revocation to the city manager, or the designated representative thereof, within 5 days after the date of revocation. The city manager or the designated representative shall have the authority to reverse or uphold the revocation. The decision of the city manager or the designated representative shall be final.

Sec. 19-7. Commercial and Multi-family Recycling.

- (a) *Permit.* It shall be unlawful for any person, company or corporation to engage in the business of the collection, transport and disposal of commercial and/or multi-family

recycling services in the city without first having obtained a permit from the City. The permit shall be non-transferable.

- (b) *Application.* A person, company or corporation that desires to engage in the business of the collection, transport and disposal of commercial and/or multi-family recycling materials, within the city must submit an application on a form prescribed by the city to the Director of Public Services accompanied by a non-refundable permit application fee established by resolution of the city council from time to time. The permit application shall include the following:
- (1) Applicant's name, address, phone number, email address, facsimile number, and form of business;
 - (2) Trade name under which the applicant will conduct business; and
 - (3) Certificate of insurance and copies of insurance policy endorsements for the types and amounts of insurance and endorsements required by the city risk manager.
- (c) *Permit Expiration.* The permit expires October 1 of each year and may be renewed by making application as provided in this section accompanied by a permit renewal permit fee established by resolution of the city council from time to time.
- (d) *Permit Fee.* The permit holder for commercial and/or multi-family recycling services shall pay an annual fee for such permit in an amount equal to three percent (3%) of the gross receipts on all revenue and income collected by or for such permit holder from any source derived from the operation of the business of the collection, transport and disposal of disposal of commercial or multi-family recycling materials, as the case may be, in the city. The permit holder shall remit the annual fee on a calendar quarter basis to the city finance department within 30 days after the end of each calendar quarter based on the revenues and income collected during the previous ending calendar quarter. Each quarterly payment shall be accompanied by an income statement verified and acknowledged by a management official of the permit holder which shows the revenue and income collected by or for the permit holder from any source derived from the business operation of the collection, transport and disposal of commercial or multi-family recycling materials, as the case may be, in the city. The permit holder shall be required to submit such other records and information as the Director of Public Services may reasonably request to verify the permit holder's gross receipts from the operation of such services in the city.

- (e) *Permit Issuance.* The Director of Public Services shall issue a permit within 5 days after receipt of a completed application accompanied by the insurance certificates and insurance policy endorsements as required by the city risk manager. The Director of Public Services may deny an application and request additional information to complete the application.
- (f) *Permit Revocation.* The Director of Public Services may revoke a permit for any one or more of the following reasons after 5 days prior written notice to the permit holder:
- (1) Failure to maintain the required insurance or to provide sufficient proof thereof upon request of the city;
 - (2) Violation of the Code of Ordinances;
 - (3) Violation of any of the terms and conditions set forth in the permit;
 - (4) Transporting materials to an unauthorized facility; and
 - (5) Failure to timely pay the annual permit fee.

The permit holder may appeal the revocation to the city manager, or the designated representative thereof, within 5 days after the date of revocation. The city manager or the designated representative shall have the authority to reverse or uphold the revocation. The decision of the city manager or the designated representative shall be final.

Secs. 19-8—19-25. Reserved.

ARTICLE II. MUNICIPAL COLLECTION AND DISPOSAL SYSTEM*

Sec. 19-26. Garbage and recyclable material receptacles—Required; location.

- (a) No person shall place or throw any garbage, trash, recyclable materials, or waste of any kind or character upon any street, sidewalk, alley, public way, parking lot or open space in the city except in a receptacle as hereinafter described. Such receptacle is to be placed on the rear of the premises adjoining the alley, at a point accessible to the garbage and recyclable materials collectors. Where a residence is not served by an alley, public utility easement or other public way in the rear or alongside thereof, all receptacles shall be placed upon the front edge of the front sidewalk so as to be accessible to the garbage and recyclable materials collectors. Garbage and recycling receptacles may be placed at other locations as may be designated by the superintendent of the solid waste division of the department of public services from time to time. It shall be unlawful for any person, occupant or person in control of any residence to permit receptacles serving residential property to remain on the public

right-of-way, whether front, side or rear, on days other than those designated by the solid waste superintendent for garbage and trash collection.

- (b) It shall be unlawful for the owner, occupant or person in control of any residence, or business or commercial establishment to allow garbage, trash, waste, or recyclable materials to be piled, placed or to accumulate on any sidewalk or street within the city. All such garbage, trash, waste, and recyclable materials shall be placed in approved containers as provided for in this article.

Sec. 19-27. Same-Type; capacity.

All occupants of residences or dwelling houses in the city shall use disposable containers. Any disposable container may be used; however, disposable containers which are blue in color are designated for recyclable materials only. Garbage, trash, or waste of any kind placed in blue disposable containers will not be collected. Other disposable container colors, such as black or white, may be used for residential trash and garbage. No person shall use a disposable container of lesser strength or quality than that specified by the city. All disposable containers shall be securely fastened and the city shall not collect disposable containers which weigh more than 50 pounds. The city may change disposable container specifications at any time to best meet the needs of the trash and recyclable materials collection systems.

Sec. 19-28. Frequency of collection.

- (a) All garbage, trash, and waste shall be collected and removed from every residence in the city at least two times per week unless otherwise ordered by the director of public services and in full adherence to all EPA and/or TCEQ rules and regulations.
- (b) All garbage, trash and waste shall be collected and removed from every other type of occupancy on a schedule as determined by the solid waste superintendent and approved by the director of public services and in full adherence to all EPA and/or TCEQ rules and regulations.
- (c) All recyclable materials shall be collected and removed from every residence in the city at least once per week unless otherwise ordered by the director of public services and in full adherence to all EPA and/or TCEQ rules and regulations.
- (d) Tree trimmings, old appliances, unwanted furniture, brush and other bulky items, collectively referred to in this subsection as bulky items, shall be collected and removed from every residence following a customer request for such collection service on days designated by the solid waste superintendent and approved by the director of public services. Bulky items may not be set out for collection prior to requesting collection service. Collection service must be requested before the designated collection day. Bulky items scheduled for pick up must be set out at the front curb of the residence no later than 7:00 a.m. on the designated collection day.

Sec. 19-29. Disposal of brush, shrub, lawn trimmings; trees, logs, boards.

Whenever brush or shrub trimmings, trees, logs, lawn cuttings or boards are placed in any designated location for collection and disposal by any person owning, occupying or controlling a residence or dwelling unit in the city, the following methods of placement of such material shall be utilized by such person:

- (1) Tree limbs, boards and other rubbish not over three feet in length may be tied in a bundle or stacked in an orderly manner for collection. Each bundle must not weigh over 50 pounds.
- (2) Brush, shrub and tree trimmings, as well as lawn clippings, shall be placed in a receptacle. Brush, shrub and tree trimmings shall not include branches or logs when said branches or logs are more than three inches in diameter or more than three feet in length. In no case shall brush, shrub and tree trimmings or lawn clippings be placed in a container exceeding 50 pounds in weight.

Sec. 19-30. Commercial and roll-off service.

- (a) The city shall be the sole provider of solid waste collection, exclusive of construction containers containing brick, concrete, shingles/roofing material, dirt, gravel, tile, or other waste deemed uncollectible by the solid waste superintendent.
- (b) Front-loading containers shall be provided by the city. In local retail, commercial, apartment, industrial, office and technical, scientific, planned development and office areas, all front-loading trash receptacles shall meet the following criteria:
 - (1) A concrete pad, 14 feet by 20 feet, of six-inch concrete, 3,000 pounds per square inch (psi), with number 3 rebar, 24 inches on center, shall be provided for each container unit.
 - (2) All front-loading containers shall be screened from view by an enclosure compatible in material and color as the main structure not less than six feet in height.
 - (3) All front-loading containers oriented perpendicular to the principal means of access to such receptacle shall be located in such a manner as to provide a minimum turning radius of 52 feet for the collection vehicle.
 - (4) Any front-loading container not perpendicular to the principal means of access to said receptacle shall be oriented at a 30-degree angle from the fire lane, alley or other means of access.
 - (5) Alternative design standards to the above specifications must be approved by the director of public services.
- (c) All roll-off receptacle locations shall meet the following criteria:

- (1) A concrete pad, 14 feet by 30 feet, for 28-yard compaction units and smaller.
 - (2) A concrete pad 14 feet by 35 feet, for compaction units between 28 and 43 yards.
 - (3) Concrete pads shall be six inches thick with number 3 rebar, 24 inches on center, with a comprehensive strength of 3,000 psi.
 - (4) All trash receptacles shall be screened from view by an enclosure compatible in material and color as the main structure not less than six feet in height.
 - (5) Alternative design standards to the above must be approved by the director of public services.
- (d) In local retail, commercial, industrial, office and technical, scientific, apartment and office areas generating 80 cubic yards of noncompacted solid waste per week, the city shall provide and maintain roll-off compactors for solid waste disposal service by a city refuse collection machine. Customers that desire to utilize their own roll-off compactors must meet city specifications for such units, and they will be responsible for maintenance of such units.
 - (e) Any commercial or roll-off receptacle locations not in conformance with the provisions of this article and lawfully in existence on the date of passage of this provision shall be made to conform to the requirements of this article upon the granting of a building permit to repair, remodel, enlarge, alter, renovate, and/or demolish or replace a main building, structure or a commercial/roll-off receptacle location or pad when, in the opinion of the city, the commercial or roll-off receptacle locations are in a state of disrepair and constitute a hazard.
 - (f) Where a commercial container service is provided under this article, the following provisions shall be applicable: It shall be unlawful for any person other than the owner, lessee or his authorized representative to deposit, cause or allow to be deposited any type of waste or other substance in a commercial container posted with a notice prohibiting such action.
 - (g) It shall be unlawful for any person to obstruct a commercial-type container by parking in front of or within five feet of either side of a commercial-type container, or obstruct a commercial-type container in any manner where such obstruction would interfere with the servicing of such container.

Sec. 19-31. Bulk material.

- (a) All commercial nurserymen and firms regularly engaged in lawn and garden service shall comply with the requirements for disposal in section 19-29, or provide for the collection and removal of all waste generated by their activities to a sanitary landfill.
- (b) No person shall permit any garbage, refuse, junk, rubbish, recyclable materials, or any other substance capable of impeding the flow of water into any gutter or drainage ditch.

(c) No person shall sweep garbage, trash, refuse, paper, litter, debris, or recyclable materials into any public street, alley or utility easement.

Sec. 19-32. Heavy accumulations; removal.

Heavy accumulations, such as brick, broken concrete, lumber, construction materials, cinders, dirt, plaster, sand or gravel, automobile frames, dead trees and other bulky, heavy material, including debris from vacant lots, shall be removed from any premises within the city at the expense of the owner, occupant or person controlling the same. Such materials shall not be stored or placed in any alley or other public right-of-way or on any private property except the premises on which accumulation originated. The city reserves the right to pick up all material or waste placed in the alley and shall not be held liable for the disposal of such material regardless of its nature.

Sec. 19-33. Garbage and residential recycling collection charges.

The city council shall, by resolution, establish all fees and charges commensurate with the removal of garbage, refuse, and residential recycling within the city from time to time as it may determine. The fees and charges established hereby shall be on file with the city secretary.”

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 Ordinance, 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 9th day of September, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:9-4-13:TM 62004)

CITY SECRETARY

RESOLUTION NO. 13-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ESTABLISHING VARIOUS FEES AND CHARGES FOR THE USE OF THE CHARLES W. EISEMANN CENTER; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to establish various fees and charges for use of the Charles W. Eisemann Center;

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

SECTION 1. That the Fee and Rate Schedule attached hereto as Exhibit “A” and made a part hereof for all purposes is hereby adopted as the Facility Maintenance Fee authorized for the use of the Charles W. Eisemann Center.

SECTION 2. That the Managing Director of the Charles W. Eisemann Center shall have the authority to modify the fees and charges established herein for specific events.

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 become effective immediately from and after its passage, except that the fee established herein shall become effective on October 1, 2013, and it is, accordingly, so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 9th day of September, 2013.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(PGS:08-22-13:TM 61945)

CITY COUNCIL RESOLUTION NO. 13-XX

EXHIBIT A
FACILITY MAINTENANCE FEES
CHARLES W. EISEMANN CENTER

The schedule of fees listed below are to be used for the sole purpose of supporting the facility and maintenance needs of the Eisemann Center including the repair and replacement of equipment, building maintenance and other related capital projects.

TICKETED EVENTS

	Fee per ticket*
Ticketed Events (tickets purchased)	\$ 1.50

*Per ticket fee added to price of ticket paid by patrons

	# Comps at no charge	Per Comp Tkt 31 or more*	Per Comp Ticket 51 or more*
Complimentary Tickets			
Events in Bank of America Theatre	30	\$ 1.00	
Events in Hill Performance Hall	50		\$ 1.00

*Per ticket fee added to invoice of client

	Fee per ticket*
Consignment Tickets	\$ 1.00

*Per ticket fee added to invoice of client

	Fee*
Ticketed Events (non performance days only)	10% of Rent

*10% of space rental fees for the usage days only without performances (load-in/production/rehearsal/etc.) Added to invoice of client.

NON-TICKETED EVENTS

	Fee*
Non Ticketed Events	10% of Rent

*10% of total rental fees for usage of spaces to be added to invoice of client.

	1st Perf. Fee*	Additional Perfs. Same Day*
Non Ticketed Events (School Performances)	\$ 50.00	\$ 25.00

*For weekday performances where students are bussed in for educational school shows. To be added to clients final invoice.

	Half Day Fee*	Full Day Fee*
City of Richardson Events (per venue fee)	\$ 25.00	\$ 75.00

*Usage of space by other COR departments. Maximum charge for all 3 venues for a full day = \$225.00

1. Fee schedule to take effect 10/1/13 with understanding that clients and events already scheduled and/or contracted for FY 2013-14 will not be subject to these fees. **All clients and events will be subject to the fee effective 10/1/14.**
2. Only funds collected (on hand) may be used for facility and maintenance needs of the Eisemann Center.
3. Any fund balance at end of FY shall be carried over to the next FY for facility and maintenance needs of the Eisemann Center.

ORDINANCE NO. 4023

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 AMEND ORDINANCE NO. 3850 BY APPROVING REVISED BUILDING ELEVATIONS FOR A DRIVE-THRU RESTAURANT ON A 1.29-ACRE TRACT ZONED LR-M(1) LOCAL RETAIL WITH SPECIAL CONDITIONS, SAID TRACT BEING DESCRIBED AS LOT 3A, BLOCK 2, UNIVERSITY WORLD ADDITION IN DALLAS COUNTY, TEXAS, AND 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 13-14).

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 by amending Ordinance No. 3850 by approving revised building elevations for a drive-thru restaurant for a 1.29-acre tract of land zoned LR-M(1) Local Retail located at 1240 W. Campbell Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That Ordinance No. 3850 is hereby amended to allow a drive-thru restaurant with revised building elevations on a 1.29-acre tract of land located at 1240 W. Campbell Road being more particularly described in Exhibit "A", subject to the following special conditions:

1. The building shall be constructed in substantial conformance with the revised building elevations attached as Exhibit "C" and made a part hereof. Revised elevations reflecting changes granted in this ordinance shall be approved administratively.
2. The drive through restaurant shall be subject to all of the other special conditions in Ordinances, 3708, 3801, and 3850 that are not in conflict with this ordinance.

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 subject to the aforementioned special conditions.

SECTION 4. 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; provided, however, Ordinance No. 3708 shall continue in full force and effect, except as amended herein.

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. That 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. 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 case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of September, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:9-3-13:TM 62116)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 13-14

BEING a 1.2948 acre tract of land situated in the J. W. Curtis Survey, Abstract No. 345, Dallas County, Texas; said tract being all of Lot 3A, Block 2, University World Addition, an addition to the City of Richardson, Texas according to the plat recorded in Instrument No. 201200067515 of the Plat Records of Dallas County, Texas.

ORDINANCE NO. 4024

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, BY AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE III ADMINISTRATIVE CODE; BY AMENDING SECTION 2-51(a) TO CORRECT THE TITLE OF THE ASSISTANT CITY MANAGER – ADMINISTRATIVE AND LEISURE SERVICES; AMENDING THE CITY ORGANIZATIONAL CHART AS SET FORTH IN SECTION 2-51(c); AMENDING SECTION 2-54(b)(3) TO CORRECT THE NAME OF THE BOARD OF ADJUSTMENT; AMENDING SECTION 2-56(b)(4) REGARDING TRAINING PROGRAMS CONDUCTED BY THE DIRECTOR OF HEALTH; AMENDING SECTION 2-56(b) BY DELETING PARAGRAPH (6) RELATING TO REGULATING THE SANITARY CONDITIONS OF MORGUES, CEMETERIES, ETC.; AMENDING SECTION 2-66(b) RELATING TO THE DUTIES OF THE DIRECTOR OF CAPITAL PROJECTS/ENGINEERING; AMENDING SECTIONS 2-68(a) AND 2-68(b) RELATING TO THE DUTIES OF THE DIRECTOR OF COMMUNICATIONS; AMENDING SECTION 2-69 REGARDING THE DEADLINE FOR THE NEXT BIENNIAL REVIEW OF THE ADMINISTRATIVE CODE; AND MAKING NON-SUBSTANTIVE AMENDMENTS TO GRAMMAR, PUNCTUATION, AND/OR FORMATTING TO SECTIONS 2-55(b)(9) AND 2-56(b)(13); PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Richardson, Texas, has conducted the biannual review of the administrative code and has desired to amend the administrative code; NOW, THEREFORE,

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

SECTION 1. That Chapter 2, Administration, Article III, Administrative Code be and the same is hereby amended in part to read as follows:

“ARTICLE III. ADMINISTRATIVE CODE

Sec. 2-51. Administrative departments.

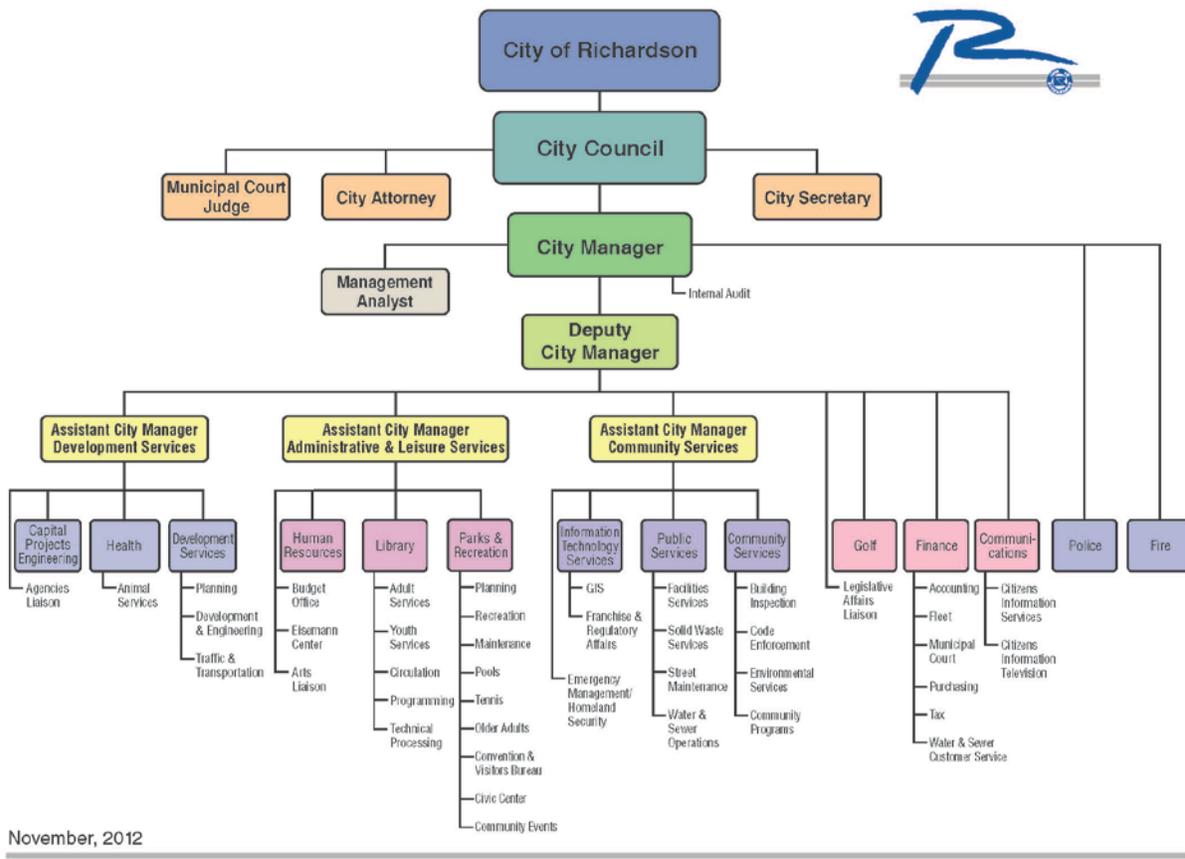
(a) The administrative departments of the City are hereby created and placed under control of the city manager as set forth in the organization chart below. The city manager is served by a deputy city manager, an assistant city manager-development services, an assistant city manager-administrative and leisure services, and an assistant city manager-community services. As a representative for the city manager, the deputy city manager is the second ranking administrator for the City and serves as the acting city manager in the absence of the city manager, unless otherwise designated. The responsibilities of the deputy city manager and three assistant city managers include the daily supervision, direction and coordination of administrative

departments assigned to the deputy city manager or assistant city manager by the city manager. For purposes of this administrative code, the city manager, the deputy city manager and assistant city managers are interchangeable in the terms of authority vested in them in their discretion of the administrative departments.

(b) The following administrative departments of the city are under control of the city manager:

- (1) Community Services.
- (2) Development Services.
- (3) Health.
- (4) Finance.
- (5) Fire.
- (6) Golf.
- (7) Library.
- (8) Parks and Recreation.
- (9) Human Resources.
- (10) Police.
- (11) Public Services.
- (12) Information Technology Services.
- (13) Capital Projects Engineering.
- (14) Communications.

(c) Administrative code organization chart below



Sec. 2-52. City manager.

(a) The city manager or designee shall have those powers and duties provided in the City Charter and as otherwise provided by the city council or by ordinance.

(b) The purpose of this section is to delegate authority to the city manager or designee to make purchases, execute contracts and approve change orders and contracts for expenditures without further approval of the city council for all budgeted items not exceeding limits set by the city council.

(c) Whenever this Code, another city ordinance, or a city council resolution delegates a duty, power, or function to a specific employee who is responsible to the city manager, that duty, power or function may at the discretion of the city manager, as a chief administrative and executive officer of the city, also be performed or exercised by the deputy city manager or an assistant city manager or other city employee designated by the city manager to perform or exercise that duty, power or function.

(d) A contract for personal or professional services, if provided in the budget, may be authorized by the city manager by administrative action without further council action.

(e) If a contract was awarded pursuant to competitive bids or competitive sealed proposals, with one or more renewal options, the city manager may by administrative action, without further city council action, exercise each renewal option and authorize a contract for the specified renewal term.

(f) No expenditure exceeding \$25,000.00 or a greater amount if allowed by state law, may be made without competitive bids, competitive sealed proposal or pursuant to design build process unless such expenditure falls within one of the general exemptions provided by Section 252.022 of the Texas Local Government Code, as amended. In the event of an emergency, an expenditure may be made without competitive bids or competitive sealed proposals provided, such emergency is declared by the city manager and approved or ratified by the city council, or such emergency is declared by the city council in its resolution authorizing execution of the contract.

(g) The city manager is authorized to approve change orders subject to any restrictions imposed by state law provided however there are budgeted funds to cover any increase in cost to the City.

(h) The city manager is granted actual and express authority to make purchases, execute contracts and approve change orders for the city. The city manager has implied authority to do what is proper, usual, and necessary to exercise the authority that has been expressly delegated to the city manager by ordinance, including, but not limited to appointing a purchasing agent or other designee to sign and execute purchase orders, contracts and change orders on behalf of the city manager.

(i) The city manager is authorized to waive or reduce city development fees as a component of the city's economic development program. As a portion of the city's economic development program, the city manager is authorized to execute contracts or other legal instruments pursuant to Section 380 of the Texas Local Government Code, as amended, for amounts up to \$300,000 per project. The city manager is further authorized to execute contracts or other legal instruments, to participate in public works infrastructure construction in municipal rights-of-way or dedicated public easements as a portion of the city's economic development program, for amounts up to \$300,000 per project. Participation in excess of these amounts requires the approval of the city council. Funding for these components of the city's economic development program will be provided through the General Government Special Projects Fund, and the Water and Sewer Utility Special Projects Fund.

(j) The city manager is authorized to initiate the process for contracts pertaining to public improvements or the maintenance of public property. For purposes of Section 21.02 of the City Charter, contracts for public improvements or the maintenance of public property shall mean contracts for projects identified in the city's annual Capital Improvement Program and requiring schematic plans. Plans and specifications for capital equipment do not require city council approval to initiate competitive bids.

Sec. 2-53. Responsibility of department directors.

The directors of departments are appointed by the city manager and shall be immediately responsible to the city manager for the administration of their departments. Their advice in writing may be required by the city manager on all matters affecting their departments. They shall prepare departmental estimates, which shall be open to public inspection, and they shall make all their reports and recommendations concerning their departments at stated intervals or when requested by the city manager.

Sec. 2-54. Director of community services.

(a) The Director of Community Services shall manage and coordinate programs related to promoting and protecting the vitality, integrity, health and safety of the community, including: administration and enforcement of the City's building, plumbing, electrical, and mechanical codes; nuisance, zoning and sign ordinances; minimum property standards regulations; community enhancement initiatives; and environmental programs. Coordinate the implementation of reinvestment plans with city staff and community/development stakeholders.

(b) The duties of the Director of Community Services shall include the following:

- (1) Serve as Chief Building Official.
- (2) Direct inspectors and office personnel in the matter of administering all aspects of the Residential, Rental Registration, Commercial and Apartment Inspection Programs as well as authorizing the issuance of permits for and overseeing the inspect of commercial and residential construction, development and redevelopment.
- (3) Serve as staff liaison to the Building & Standards Commission, Sign Control Board, Board of Adjustment, and Environmental Advisory Commission.
- (4) Oversee and coordinate neighborhood relations activities, including providing regular advice and counsel to neighborhood associations, providing regular training opportunities for neighborhood leaders, and providing regular communication on code enforcement activity to all interested.
- (5) Oversee and coordinate neighborhood enhancement activities, including approving home improvement projects for an incentive, approving neighborhood sign toppers, and directing staff in the matter of administering all aspects of neighborhood assessment and vitality exercises.

- (6) Direct inspectors and office personnel in the matter of administering all aspects of the Volunteer Assistance Program, the Graffiti Abatement Program, and the Recreational Vehicle Parking Variance Program.
- (7) Coordinate the implementation of reinvestment plans with city staff and community/development stakeholders.
- (8) Oversee and coordinate programs to promote environmental sustainability and energy efficiency.
- (9) Direct the administration detail of the department, including the selection, training and utilization of personnel; requisitioning of supplies, materials and equipment; and the preparation of records and reports.
- (10) Prepare and administer the annual budget and collection of fees for the department.

Sec. 2-55. Director of development services.

(a) The director of development services shall, under the direction of the designated assistant city manager, administer the operation of the development services, planning, development and engineering, and traffic and transportation divisions. The director of development services is responsible for providing professional counsel and technical advice on matters relating to policy and program development with respect to each of these areas.

(b) The duties of the director of development services shall include the following:

- (1) Act as principal staff liaison and provide technical assistance including the development of technical reports to the city plan commission and city council on land development issues, special projects, programs and policies and provide staff assistance to the board of adjustment.
- (2) Oversee and coordinate activities of the planning division of the development services department, including zoning and special permit applications, activity, comprehensive planning, demographics, special studies, transit-oriented development, and mapping services.
- (3) Oversee and coordinate activities of the development and engineering division of the development services department, including subdivision review, site plan, landscaping plan, building elevation and civil engineering plan review and conducting special projects.
- (4) Oversee and coordinate activities of the traffic and transportation division of the development services department, including transportation planning,

traffic modeling, signal coordination operations, inter-agency cooperation and field service operations.

- (5) Provide direction to planners, development engineers and transportation engineers.
- (6) Interface with consultants, other government agencies, the business community and the general public on matters of mutual interest.
- (7) Implement, revise and create development and transportation related ordinances, policies and guidelines as necessary.
- (8) Represent the city at state and regional planning and transportation meetings.
- (9) Direct the administrative detail of the department, including the selection, training and utilization of personnel; requisitioning of supplies, materials and equipment; the preparation of records and reports; and coordinate work of the divisions within the department.
- (10) Prepare and administer the annual budget and collection of fees for the department.

Sec. 2-56. Director of health.

(a) The director of health shall, under the direction of the designated assistant city manager, be responsible for executing an environmental health program for the city and for overseeing animal control.

(b) The duties of the director of health shall include the following:

- (1) Recommend and prepare regulations and ordinances in specific areas of environmental health.
- (2) Enforce the laws of the state, the provisions of the Charter and all ordinances relating to public health.
- (3) Direct inspection of every part of the city and its environs with a view of maintaining sanitary conditions.
- (4) Provide and conduct environmental health related training programs for department and city staff.
- (5) Investigate and take measures, including the exercise of power of quarantine and detention, to prevent the development and spreading of contagious and infectious diseases inimical to the public health and safety.

- (6) Administer the industrial pretreatment sewage program as required by federal and state law.
- (7) Cooperate with municipal, state and federal health officials on mutual environmental health matters.
- (8) Prepare and administer the annual department budget.
- (9) Administer household hazardous waste collection program.
- (10) Conduct vector control activities.
- (11) Serve as local rabies control authority, as required by the Texas Health and Safety Code.
- (12) Administer the phase II storm water management program and coordinate with the Texas Commission on Environmental Quality to ensure compliance.

Sec. 2-57. Director of finance.

(a) The director of finance shall, under the direction of the deputy city manager, administer the operation of the department of finance, including accounting, tax, purchasing, water and sewer customer service, fleet and materials management, municipal court, and the administration of the financial affairs of the city in the various departments placed under control of the finance department.

(b) The duties of the director of finance shall include the following:

- (1) Direct general finance operations.
- (2) Monitor and revise finance procedures.
- (3) Control the custody and disbursement of city funds and monies according to ordinances and regulations of the city council.
- (4) Oversee the assessment and collection of such taxes, including special assessments, as may be levied by ordinance.
- (5) Formulate financial policies under the guidance of the city manager.
- (6) Prepare and administer the annual department budget.

- (7) Oversee billing and collection of revenues for utility service and miscellaneous receivables.
- (8) Oversee the city's procurement process.
- (9) Oversee administration of the city's municipal court.
- (10) Oversee operation of the city's garage and warehouse.

Sec. 2-58. Fire chief.

(a) The fire chief shall, under the direction of the city manager, administer the operation of the fire department. The fire chief shall plan, organize and direct the city's fire prevention, fire suppression, emergency medical services, hazardous material response and special operations programs.

(b) The duties of the fire chief shall include the following:

- (1) Direct the office of the fire marshal in administrative activities, including inspections, investigations and fire prevention and education.
- (2) Direct the administrative activities of the department, including the selection, training, assignment, utilization and disciplining of personnel.
- (3) Direct the requisitioning of materials, supplies and equipment, and the preparation of records and reports.
- (4) Direct fire and life safety programs consistent with the needs of the community.
- (5) Assist in planning the city's fire defenses and the location, layout and construction of new stations and the training center.
- (6) Respond to and take command at major incidents as needed.
- (7) Support the preparation of the city's emergency management plan and related plan maintenance and management.
- (8) Direct the selection, maintenance, repair, improvement and replacement of firefighting equipment, trucks and apparatus.
- (9) Prepare special studies for the city manager on various phases of departmental operation.
- (10) Prepare and administer annual department budget.

- (11) Represent the city at meetings and functions for the purpose of promoting fire and life safety.
- (12) Direct the delivery of emergency medical services to include emergency transport to medical facilities.
- (13) Direct the operation of the department in the delivery of emergency services related to fire suppression, technical rescue and hazardous materials response.
- (14) Oversee the review of plans and inspections for fire suppression, detection and alarms systems for all new constructions, remodels and renovations.
- (15) Support communications and emergency dispatch of fire, rescue and emergency medical services.

Sec. 2-59. Golf professional.

(a) The golf professional shall, under the direction of the designated assistant city manager, supervise and manage the city's municipal golf course.

(b) The duties of the golf professional shall include the following:

- (1) Collect all green fees.
- (2) Be responsible for all golf course operations, including supervision of assistant golf professionals, golf course maintenance supervisor, concessionaire, and other golf course personnel.
- (3) Prepare and administer the annual budget for the golf course.
- (4) Be responsible for employment of an individual or firm to provide concession services and execution of the concession services and execution of the concession contract providing food and beverage services.
- (5) Be responsible for reports and records.
- (6) Be responsible for the project management of any improvements.

Sec. 2-60. Director of library services.

(a) The Director of Library Services shall, under the direction of the designated assistant city manager, plan and administer the program of library services.

(b) The duties of the library director shall include the following:

- (1) Care, maintenance and operation of the library facilities in the city.
- (2) Advise the library board pertaining to planning, development and operation of the library facilities.
- (3) Recommend and supervise library personnel.
- (4) Inform the public of services and solicit suggestions from the public to increase effectiveness of library services.
- (5) Conduct studies of local conditions and needs for library services and prepare manuals, bulletins and reviews on library issues.
- (6) Prepare and administer annual budget and collection of fees for the department.
- (7) Interface with other governmental agencies, school districts, universities, and the business community to integrate planning, and programs into the city's programs.
- (8) Prepare all necessary reports to the Texas State Library and other entities.

Sec. 2-61. Director of parks and recreation.

(a) The director of the parks and recreation department shall, under the direction of the designated assistant city manager, administer the operation of the parks and recreation department. The director of parks and recreation shall be the chief administrative officer in charge of the care, maintenance and operation of the city parks and recreation facilities.

(b) The duties of the director of parks and recreation shall include the following:

- (1) Plan, coordinate and direct the operation and maintenance of the various facilities of the department, including parks, recreation programs, community events, convention and visitors bureau, tennis center, senior center, civic center, swimming pools and playgrounds.
- (2) Direct the administrative detail of the department, including the selection, training and utilization of personnel; requisitioning of supplies, materials and equipment; and the preparation of records and reports.
- (3) Study the needs of the community relative to parks and recreation facilities and programs and make recommendations for the development of needed services and facilities.

- (4) Coordinate the activities of the department with the programs of other local agencies involved in recreation, rendering technical assistance and soliciting suggestions from the general public to improve or increase effectiveness of services.
- (5) Collaborate with the city's consulting engineers on the layout and design of new facilities, including park areas, playgrounds and recreation buildings.
- (6) Advise the parks and recreation commission pertaining to planning, development and operation of the parks and recreation programs.
- (7) Attend and participate in public functions and meetings to explain and promote the parks and recreation programs.
- (8) Prepare and administer the annual budget and collect fees of the department.
- (9) Interfaces with other governmental agencies, school districts, universities, and the business community to integrate planning, programs and construction into the city's programs.
- (10) Interface with professional consultants to develop plans and specifications for park developments.
- (11) Investigate various funding mechanisms and the preparation of grants.
- (12) Develop and promote community events and festivals.

Sec. 2-62. Director of human resources.

(a) The director of human resources shall, under the direction of the designated assistant city manager administer the operation of the human resources department. The director of human resources shall plan and direct the human resources and the civil service programs for the city.

(b) The duties of the director of human resources shall include the following:

- (1) Manage and direct personnel recruitment and testing.
- (2) Confer with city manager, civil service board, department directors and employees on personnel matters.
- (3) Maintain classification and pay plan, recommending changes when appropriate.

- (4) Recommend changes in human resources policies and procedures as needed.
- (5) Administer employee benefit programs, including health insurance, workers compensation and retirement, make referrals to the employee assistance program when needed, and oversee the wellness program.
- (6) Plan and coordinate in-service training programs.
- (7) Coordinate with other department heads regarding the city's safety program.
- (8) Review and administer a risk management program covering structures, equipment and contents of all city property and make recommendations to the city manager for increases, decreases, deletions or other changes.
- (9) Administer the city civil service system and prepare civil service board agenda and attend regular and special board meetings.
- (10) Prepare and administer annual department budget.

Sec. 2-63. Chief of police.

(a) The chief of police shall, under the direction of the city manager, administer the operation of the police department. The chief of police is responsible for planning, organizing and directing the city's crime prevention and law enforcement services.

(b) The duties of the chief of police shall include the following:

- (1) Promulgate rules, regulations, and procedures for the operation of the police department and the conduct of personnel.
- (2) Analyze the law enforcement problems of the city and the personnel and facilities required to maintain the proper level of police services.
- (3) Determine the relative importance of the various types of police activity and the proportionate manpower and equipment to devote to each.
- (4) Direct the development of formal and in-service programs for the training of police personnel.
- (5) Confer with the city manager on departmental activities and policies, long-range programs and coordination of departmental activities with those of other departments and public agencies.

- (6) Prepare and administer annual department budget.
- (7) Supervise the training, counseling and disciplining of police personnel.
- (8) Research and study of modern practices in police work.

Sec. 2-64. Director of public services.

(a) The director of public services shall, under the direction of the designated assistant city manager, administer the public services department. The department consists of water, sewer, street, solid waste services, and facilities services.

(b) The duties of the director of public services shall include the following:

- (1) Plan, supervise and coordinate the design, construction and maintenance of water, sewer, street and building facilities.
- (2) Schedule the most efficient use of manpower and equipment.
- (3) Review work in progress and upon completion.
- (4) Prepare estimates on construction jobs and related improvements.
- (5) Coordinate work of the divisions of the department.
- (6) Prepare and administer annual department budget and reports.
- (7) Supervise training, counseling and disciplining of personnel.
- (8) Prepare specifications and approve purchases of materials, supplies and equipment.
- (9) Confer with city manager on ordinances and policies.
- (10) Provide liaison support for contractual utility service of water, wastewater, and solid waste received from the North Texas Municipal Water District and other regional entities.

Sec. 2-65. Chief information officer.

(a) The chief information officer shall, under the direction of the designated assistant city manager, direct the operations of the city's information technology services department and provide leadership on the city's technology initiatives.

(b) The duties of the chief information officer shall include the following:

- (1) Manage the process of identifying and evaluating current and emerging technologies.
- (2) Evaluate and assess the technology needs of the city.
- (3) Develop recommendations on the allocation of technology resources.
- (4) Oversee the citywide technology procurement process.
- (5) Direct the implementation of technology initiatives.
- (6) Ensure that all city facilities and operations receive high-quality information technology support.
- (7) Oversee and direct and City's external and internal WEB including design, content and application development to support all City departments.
- (8) Oversee and direct the geographic information system development and application to support all city departments.
- (9) Oversee the administrative duties for franchise and regulatory affairs of public utilities, right-of-way regulations, public utility rate regulation and right-of-way franchise and license relations.
- (10) Coordinate technology partnerships with vendors and the business community.
- (11) Develop and enforce information services policies and procedures.
- (12) Prepare and administer annual department budget.

Sec. 2-66. Director of capital projects/engineering.

(a) The Director of capital projects/engineering shall, under the direction of the designated assistant city manager, administer the operations of capital projects/engineering and provide general control of the city's Capital Improvement Program.

(b) The duties of the director of capital projects/engineering shall include the following:

- (1) Direct and coordinate the city's development and implementation of the Capital Improvement Program.

- (2) Coordinate the project planning, phasing and orderly development of the capital infrastructure of the City of Richardson.
- (3) Monitor the funding for the Capital Improvement Program, golf account, water and sewer, street rehabilitation and development contract participation.
- (4) Prepare recommendations for future street, drainage and bond program projects.
- (5) Process/acquire necessary easements and rights-of-way.
- (6) Make effective presentations to the city council, homeowners and/or other groups relevant to each program.
- (7) Administer use of floodplains, provide liaison with other Federal, State, and County governmental agencies and utility firms.
- (8) Supervise and participate in review of engineering and development plans and contract documents of public works projects for capital projects and other city departments.
- (9) Manage departments' annual operating budget.
- (10) Provide input for the Standard Specifications for Public Works Construction-North Central Texas Council of Government.
- (11) Oversee utility franchise and fiber optic right-of-way permits within the city.
- (12) Manage and oversee the city's drainage utility fund.

Sec. 2-67 Reserved.

Sec. 2-68 Director of communications.

(a) The director of communications shall, under the direction of the deputy city manager, administer the operation of the communications department. The director of communications shall plan and direct the communications and public information activities for the city.

(b) The duties of the director of communications shall include the following:

- (1) Manage and direct all of the city's communications activities, both internally and externally, ensuring consistency in messaging, and protection of the city brand.
- (2) Administer and direct the communications department, directing and evaluating subordinates involved in the supervising and producing of video, print and electronic media for internal or external use.
- (3) Prepare and present departmental reports, recommendations and budgets at stated intervals and when requested by the city manager's office.
- (4) Confer with assistant city managers, deputy city manager, city manager, department directors and employees on communications strategies and key messages.
- (5) Assist other city departments with the development of department-specific communications plans, policies and procedures, ensuring alignment with the city communications plan.
- (6) Direct and manage the preparation of presentations, written/graphic support materials and video projects for the City Council and city manager's office.
- (7) Direct the preparation of news releases as required and serve as the primary general media contact.
- (8) Assist City departments in the review of all publications produced for distribution to mass audiences.
- (9) Coordinate closely with Information Services regarding content for the City's internet and intranet websites.
- (10) Manage the use of outside public relations, marketing or advertising agencies, as needed.
- (11) Assist with communications activities for city festivals and events. Assist with the planning of press conferences, city facility groundbreaking and ribbon-cuttings, and other communications-related events as appropriate.
- (12) Handle crisis communications on the City's behalf. Develop a crisis communications plan in conjunction with the City Emergency Management Coordinator, recommend changes as needed. Train city departments on crisis response policies and procedures as needed.

- (13) Prepare applications for national, state and local awards and other public recognitions of city initiatives.
- (14) Prepare and administer annual department budget.

Sec. 2-69. Biannual review.

On or before October 1, 2015, and thereafter on a biannual basis, the city council will review this administrative code to incorporate any needed changes since its last amendment.

Secs. 2-70 - 2-85. 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 thereof decided to be unconstitutional, illegal or invalid.

SECTION 4. That this Ordinance shall take effect immediately from and after its passage, as the law and Charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of
September, 2013.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:9-4-13:TM 61996)

**AGENDA REPORT
City of Richardson, City Council Meeting**

Work Session Date _____

City Council Meeting Date **September 9, 2013**

REQUESTED ACTION/MOTION

Council to consider approval of a resolution authorizing BCS West Land Investments to perform the procurement tasks and functions required of the City by the state law in regard to the solicitation of bids and / or proposals and the award of contracts for the design and construction of City Line Trail, and authorizing the City Manager to negotiate and execute agreements with BCS West Land Investments relating to the design and construction of City Line Trail.

SUMMARY EXPLANATION AND BACKGROUND

The TIF agreement between the City and BCS West requires the developer to construct the trail connection between Routh Creek Parkway and the DART rail as a part of their development. The City has obtained an RTR grant for funding approximately 80% of this trail, and in order to obtain this grant funding, the developer must conform to the requirements outlined in our Advance Funding Agreement with TxDOT. This resolution authorizes BCS West Land Investments to perform the procurement tasks and functions required of the City by the state law in regard to the solicitation of bids and / or proposals and the award of contracts for the design and construction of City Line Trail, and also allows the City Manager to enter into a Development Agreement with BCS.

Recommended By:



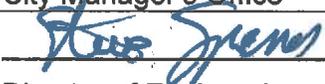
972-744-4206

Cliff Miller

City Manager's Office

Phone

Source of Additional Information:



972-744-4275

Steve Spanos, P.E.

Director of Engineering

Phone

EXHIBITS ATTACHED FOR CITY COUNCIL MEETING

- 1 Handout(s) for Council Meeting (list items)
 - Resolution No. XXX with Agreement Attached

DOCUMENTS FOR CITY SECRETARY/PERMANENT RECORDS

Documents must be submitted to the City Secretary in their final form with City Attorney approval no later than the Monday prior to the Work Session.

Resolution
 Ordinance

Public Hearing
 Other

None



MEMO

TO: Dan Johnson, City Manager
THROUGH: Cliff Miller, Assistant City Manager *CJM*
FROM: Steve Spanos, P.E., Director of Engineering
SUBJECT: Resolution No. XXXX Design and Construction of the City Line Trails
DATE: August 30, 2013

REQUESTED ACTION

Council to consider approval of a resolution authorizing BCS West Land Investments to perform the procurement tasks and functions required of the City by the state law in regard to the solicitation of bids and / or proposals and the award of contracts for the design and construction of City Line Trail, and authorizing the City Manager to negotiate and execute agreements with BCS West Land Investments relating to the design and construction of City Line Trail.

BACKGROUND

The TIF agreement between the City and BCS West requires the developer to construct the trail connection between Routh Creek Parkway and the DART rail as a part of their development. The City has obtained an RTR grant for funding approximately 80% of this trail, and in order to obtain this grant funding, the developer must conform to the requirements outlined in our Advance Funding Agreement with TxDOT. This resolution authorizes BCS West Land Investments to perform the procurement tasks and functions required of the City by the state law in regard to the solicitation of bids and / or proposals and the award of contracts for the design and construction of City Line Trail, and also allows the City Manager to enter into a Development Agreement with BCS.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, PROVIDING A DELEGATION OF AUTHORITY PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2269.053 TO BCS WEST LAND INVESTMENTS, L.P. TO PERFORM THE PROCUREMENT TASKS AND FUNCTIONS REQUIRED OF THE CITY BY STATE LAW REGARDING THE SOLICITATION OF BIDS AND/OR PROPOSALS AND THE AWARD OF CONTRACTS FOR THE DESIGN AND CONSTRUCTION OF TRAILS TO BE LOCATED NORTH OF RENNER ROAD, WEST OF ROUTH CREEK PARKWAY AND EAST OF THE DART LINE, SOUTH OF LOT 2, BLOCK D OF THE BUSH CENTRAL STATION ADDITION (CSJ: 0918-24-167); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ONE OR MORE AGREEMENTS ON BEHALF OF THE CITY OF RICHARDSON WITH BCS WEST LAND INVESTMENTS, L.P. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 271.908(b) FOR THE DESIGN AND CONSTRUCTION OF SAID PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has or intends to enter into an Advance Funding Agreement by and between the City of Richardson, Texas, and the State of Texas, acting by and through the Texas Department of Transportation, which provides funding to the City for the construction of the CityLine Trail Project; and

WHEREAS, BCS West Land Investments, L.P. desires to contract with the City of Richardson pursuant to Texas Local Government Code 271.908(b) for the design and construction of the CityLine Trail Project and to act as the agent of the City pursuant to Texas Government Code Section 2269.053 to perform the procurement tasks and functions required of the City by the state law in regard to the bidding and award of contracts for the design and construction of the CityLine Trail Project; and

WHEREAS, upon full review and consideration of all matters related thereto, the City Council is of the opinion and finds that delegation of authority pursuant to Texas Government Code Section 2269.053 to BCS West Land Investments, L.P. to perform the procurement tasks and functions required of the City by the state law in regard to the bidding and award of contracts for the design and construction of the project should be approved, and that the City Manager should be authorized to negotiate and execute the Agreement on behalf of the City of Richardson, Texas, with BCS West Land Investments, L.P., for the design and construction of the project;

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

SECTION 1. That pursuant to Texas Government Code Section 2269.053, the City Council does hereby delegate to BCS West Land Investments, L.P. authority to perform the procurement tasks and functions required of the City by the state law in regard to the solicitation of bids and/or proposals and the award of contracts for the design and construction of trails to be located north of Renner Road, west of Routh Creek Parkway and east of the Dart Line, south of

Lot 2, Block D of the Bush Central Station Addition (CSJ: 0918-24-167) (CityLine Trail Project).

SECTION 2. That the City Manager is hereby authorized to negotiate and execute on behalf of the City one or more agreements with BCS West Land Investments, L.P., pursuant to Texas Local Government Code 271.908(b) relating to design and construction of the CityLine Trail Project, and any amendments or instruments related thereto.

SECTION 3. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the _____ day of _____, 2013.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:9-4-13:TM 61461)

RESOLUTION NO. 13-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, PROVIDING A DELEGATION OF AUTHORITY PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2269.053 TO BCS WEST LAND INVESTMENTS, L.P. TO PERFORM THE PROCUREMENT TASKS AND FUNCTIONS REQUIRED OF THE CITY BY STATE LAW REGARDING THE SOLICITATION OF BIDS AND/OR PROPOSALS AND THE AWARD OF CONTRACTS FOR THE DESIGN AND CONSTRUCTION OF TRAILS TO BE LOCATED NORTH OF RENNER ROAD, WEST OF ROUTH CREEK PARKWAY AND EAST OF THE DART LINE, SOUTH OF LOT 2, BLOCK D OF THE BUSH CENTRAL STATION ADDITION (CSJ: 0918-24-167); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ONE OR MORE AGREEMENTS ON BEHALF OF THE CITY OF RICHARDSON WITH BCS WEST LAND INVESTMENTS, L.P. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 271.908(b) FOR THE DESIGN AND CONSTRUCTION OF SAID PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has or intends to enter into an Advance Funding Agreement by and between the City of Richardson, Texas, and the State of Texas, acting by and through the Texas Department of Transportation, which provides funding to the City for the construction of the CityLine Trail Project; and

WHEREAS, BCS West Land Investments, L.P. desires to contract with the City of Richardson pursuant to Texas Local Government Code 271.908(b) for the design and construction of the CityLine Trail Project and to act as the agent of the City pursuant to Texas Government Code Section 2269.053 to perform the procurement tasks and functions required of the City by the state law in regard to the bidding and award of contracts for the design and construction of the CityLine Trail Project; and

WHEREAS, upon full review and consideration of all matters related thereto, the City Council is of the opinion and finds that delegation of authority pursuant to Texas Government Code Section 2269.053 to BCS West Land Investments, L.P. to perform the procurement tasks and functions required of the City by the state law in regard to the bidding and award of contracts for the design and construction of the project should be approved, and that the City Manager should be authorized to negotiate and execute the Agreement on behalf of the City of Richardson, Texas, with BCS West Land Investments, L.P., for the design and construction of the project;

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

SECTION 1. That pursuant to Texas Government Code Section 2269.053, the City Council does hereby delegate to BCS West Land Investments, L.P. authority to perform the procurement tasks and functions required of the City by the state law in regard to the solicitation of bids and/or proposals and the award of contracts for the design and construction of trails to be located north of Renner Road, west of Routh Creek Parkway and east of the Dart Line, south of

Lot 2, Block D of the Bush Central Station Addition (CSJ: 0918-24-167) (CityLine Trail Project).

SECTION 2. That the City Manager is hereby authorized to negotiate and execute on behalf of the City one or more agreements with BCS West Land Investments, L.P., pursuant to Texas Local Government Code 271.908(b) relating to design and construction of the CityLine Trail Project, and any amendments or instruments related thereto.

SECTION 3. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 9th day of September, 2013.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:9-4-13:TM 61461)



MEMO

DATE: September 4, 2013
TO: Kent Pfeil – Director of Finance
FROM: Pam Kirkland – Purchasing Manager 
SUBJECT: Award of Bid #60-13 for the 2010 Sidewalk Replacement Project Regions 9 & 11 to Estrada Concrete Company, LLC in the amount of \$1,224,620

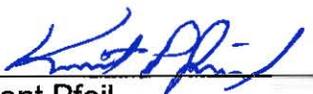
Proposed Date of Award: September 9, 2013

I concur with the recommendation of Steve Spanos – Director of Engineering, and request permission to award a contract to the lowest responsible bidder, Estrada Concrete Company, LLC, for the above referenced construction in the amount of \$1,224,620, as outlined in the attached memo.

Funding is provided from the Neighborhood Vitality GO Bonds.

A prebid conference was held on August 2, 2013. The bid was advertised in *The Dallas Morning News* on July 24 & 31, 2013 and was posted on Bidsync.com. Eight hundred forty-six electronic solicitations were distributed; thirty-three vendors viewed the solicitation; and seven bids were received.

Concur:


Kent Pfeil

Attachments

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish



MEMO

TO: Dan Johnson, City Manager
THROUGH: Cliff Miller, Assistant City Manager *CCM*
FROM: Steve Spanos, P.E., Director of Engineering *SS*
SUBJECT: Award of Bid No. 60-13 for 2010 Sidewalk Replacement Project Regions 9 & 11 Estrada Concrete Co. LLC
DATE: August 30, 2013

ACTION REQUESTED:

Council to consider award of Bid No. 60-13 for the 2010 Sidewalk Replacement Project Regions 9 & 11 to Estrada Concrete Co. LLC in the amount of \$1,224,620.00.

BACKGROUND INFORMATION:

On August 9, 2013 the Capital Projects Department opened bids for the subject project. The attached bid tabulation certifies the lowest base bid was submitted by Nash CM, Inc. in the amount of \$1,049,665.00. After reviewing the financial statement and similar project references provided by Nash CM, Inc., staff has determined this contractor is not qualified for this project.

Staff recommends award to the second lowest bidder, Estrada Concrete Co. LLC., in the amount of \$1,224,620.00. Estrada Concrete Co. LLC is currently under contract with the City, has performed similar work successfully, and staff determined their financial statement is acceptable with this project added.

The 2010 Sidewalk Replacement Project Region 9 encompasses the area between E. Campbell Road, E. Arapaho Road, N. Plano Road and N. Jupiter Road. Region 11 is bounded by E. Arapaho Road, E. Beltline Road, N. Plano Road and N. Jupiter Road. Construction will include removal and replacement of existing residential sidewalk, driveway approach pavement, and barrier free ramps.

FUNDING:

Funding is provided from the Neighborhood Vitality GO Bonds.

SCHEDULE:

Capital Projects plans for this project to begin construction October 2013 and be completed by April 2014.

Cc: Edward Witkowski Jr., P.E., Project Engineer *EW*

**2010 SIDEWALK REPLACEMENT PROJECT REGIONS 9 & 11
Bid# 60-13**

ITEM	DESCRIPTION	QTY.	UNIT	Nash CM, Inc.		Estrada Concrete Co. LLC		Urban Construction Group		2CMD Inc.		Camino Construction		Ken-Do Contracting LP		Axis Contracting, Inc.		AVERAGES	
				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Remove & Replace - 4" Class "A" Reinforced Concrete Sidewalk	206,900	SF	\$3.20	\$662,080.00	\$4.10	\$848,290.00	\$4.65	\$962,085.00	\$4.80	\$993,120.00	\$5.48	\$1,133,812.00	\$5.50	\$1,137,950.00	\$6.50	\$1,344,850.00	\$4.89	\$1,011,741.00
2	Remove & Replace - 5" Class "A" Reinforced Concrete Driveway Pavement	4,800	SF	\$4.00	\$18,400.00	\$5.00	\$23,000.00	\$5.00	\$23,000.00	\$4.92	\$22,632.00	\$6.00	\$27,600.00	\$6.00	\$27,600.00	\$7.50	\$34,500.00	\$5.49	\$25,247.43
3	Remove & Replace - 6" Class "C" Reinforced Concrete Street Pavement	1,800	SF	\$5.00	\$8,000.00	\$6.00	\$9,600.00	\$5.25	\$8,400.00	\$6.80	\$10,580.00	\$6.00	\$9,600.00	\$6.25	\$10,000.00	\$8.50	\$13,900.00	\$6.23	\$9,985.71
4	Remove & Replace - 6" Class "C" Reinforced Concrete Alley Pavement	4,000	SF	\$5.00	\$20,000.00	\$6.00	\$24,000.00	\$5.25	\$21,000.00	\$6.80	\$26,400.00	\$7.00	\$28,000.00	\$6.00	\$24,000.00	\$8.50	\$34,000.00	\$6.34	\$25,342.86
5	Remove & Replace - 6" Class "C" Reinforced Concrete Curb and 18" Gutter	400	LF	\$15.00	\$6,000.00	\$30.00	\$12,000.00	\$20.00	\$8,000.00	\$19.20	\$7,680.00	\$35.00	\$14,000.00	\$33.00	\$13,200.00	\$30.00	\$12,000.00	\$28.03	\$10,411.43
6	Barrier Free Ramps - Rehab (Types A-D)	135	EA	\$450.00	\$60,750.00	\$725.00	\$97,875.00	\$400.00	\$54,000.00	\$1,200.00	\$162,000.00	\$1,400.00	\$189,000.00	\$1,000.00	\$135,000.00	\$1,100.00	\$148,500.00	\$896.43	\$121,017.86
7	Barrier Free Ramps - Rehab (Types E&F)	8	EA	\$450.00	\$3,600.00	\$725.00	\$5,800.00	\$400.00	\$3,200.00	\$1,200.00	\$9,600.00	\$1,000.00	\$8,000.00	\$800.00	\$6,400.00	\$1,100.00	\$8,800.00	\$810.71	\$6,485.71
8	Barrier Free Ramps - New (Types A-D)	31	EA	\$500.00	\$15,500.00	\$725.00	\$22,475.00	\$1,000.00	\$31,000.00	\$1,440.00	\$44,840.00	\$1,400.00	\$43,400.00	\$1,200.00	\$37,200.00	\$1,100.00	\$34,100.00	\$1,052.14	\$32,616.43
9	Barrier Free Ramps - New (Types E&F)	6	EA	\$500.00	\$3,000.00	\$725.00	\$4,350.00	\$600.00	\$3,600.00	\$1,440.00	\$8,640.00	\$1,000.00	\$6,000.00	\$800.00	\$4,800.00	\$1,100.00	\$6,600.00	\$880.71	\$5,284.29
10	Compacted Clean Fill	200	CY	\$18.00	\$3,600.00	\$15.00	\$3,000.00	\$30.00	\$6,000.00	\$42.00	\$8,400.00	\$25.00	\$5,000.00	\$25.00	\$5,000.00	\$40.00	\$8,000.00	\$27.86	\$5,571.43
11	4" Topsoil with Block Sod to Match Existing	13,500	SF	\$0.85	\$11,475.00	\$0.86	\$8,910.00	\$1.00	\$13,500.00	\$1.56	\$21,060.00	\$1.25	\$16,875.00	\$0.60	\$8,100.00	\$1.50	\$20,250.00	\$1.06	\$14,310.00
12	Utility / Meter Box Adjustment	60	EA	\$400.00	\$24,000.00	\$50.00	\$3,000.00	\$150.00	\$9,000.00	\$540.00	\$32,400.00	\$50.00	\$3,000.00	\$75.00	\$4,500.00	\$1,000.00	\$60,000.00	\$323.57	\$19,414.29
13	Water Meter Relocation Including Meter Box	40	EA	\$350.00	\$14,000.00	\$150.00	\$6,000.00	\$500.00	\$20,000.00	\$1,440.00	\$57,600.00	\$825.00	\$25,000.00	\$450.00	\$18,000.00	\$1,500.00	\$60,000.00	\$716.43	\$28,657.14
14	Traffic Control For High Volume Streets	40	EA	\$500.00	\$20,000.00	\$100.00	\$4,000.00	\$300.00	\$12,000.00	\$420.00	\$16,800.00	\$200.00	\$8,000.00	\$2,000.00	\$80,000.00	\$1,500.00	\$60,000.00	\$717.14	\$28,685.71
15	Remove & Replace - Asphalt to Match Existing	1,000	SF	\$5.00	\$5,000.00	\$4.00	\$4,000.00	\$6.00	\$6,000.00	\$3.60	\$3,600.00	\$3.67	\$3,670.00	\$6.00	\$6,000.00	\$10.00	\$10,000.00	\$5.47	\$5,487.14
16	Remove & Replace - 4" Exposed Aggregate Class "A" Reinforced Concrete Sidewalk to Match Existing	600	SF	\$6.00	\$3,600.00	\$7.00	\$4,200.00	\$10.00	\$6,000.00	\$6.60	\$3,960.00	\$8.00	\$4,800.00	\$7.00	\$4,200.00	\$5.00	\$3,000.00	\$7.09	\$4,251.43
17	Sidewalk Gridding	170	EA	\$25.00	\$4,250.00	\$30.00	\$5,100.00	\$50.00	\$8,500.00	\$72.00	\$12,240.00	\$35.00	\$5,950.00	\$75.00	\$12,750.00	\$75.00	\$12,750.00	\$51.71	\$8,791.43
18	Irrigation Lowering / Relocation	44	EA	\$200.00	\$8,800.00	\$100.00	\$4,400.00	\$100.00	\$4,400.00	\$540.00	\$23,760.00	\$200.00	\$8,800.00	\$350.00	\$15,400.00	\$300.00	\$13,200.00	\$255.71	\$11,251.43
19	House Number Replacement	170	EA	\$18.00	\$3,060.00	\$30.00	\$5,100.00	\$25.00	\$4,250.00	\$12.00	\$2,040.00	\$20.00	\$3,400.00	\$50.00	\$8,500.00	\$50.00	\$8,500.00	\$29.29	\$4,978.57
20	New 4" Class "A" Reinforced Concrete Sidewalk - Including Clearing, Excavation & Haul Off	2,000	SF	\$5.50	\$11,000.00	\$4.20	\$8,400.00	\$5.00	\$10,000.00	\$5.70	\$11,400.00	\$5.50	\$11,000.00	\$4.75	\$9,500.00	\$6.50	\$13,000.00	\$5.31	\$10,814.29
21	Sidewalk Curb as Directed by the City	500	LF	\$5.00	\$2,500.00	\$6.00	\$3,000.00	\$10.00	\$5,000.00	\$9.00	\$4,500.00	\$10.00	\$5,000.00	\$8.00	\$4,000.00	\$15.00	\$7,500.00	\$9.00	\$4,500.00
22	Remove & Replace - 4" Class "A" Reinforced Concrete Sidewalk - (Less than 500 SF each) Outside of Contract Region	3,200	SF	\$6.50	\$20,800.00	\$4.20	\$13,440.00	\$6.00	\$25,800.00	\$4.80	\$15,360.00	\$5.50	\$17,600.00	\$6.50	\$20,800.00	\$15.00	\$48,000.00	\$7.21	\$23,085.71
23	Barrier Free Ramp Outside of Contract Region as Directed by City	24	EA	\$700.00	\$16,800.00	\$725.00	\$17,400.00	\$1,000.00	\$24,000.00	\$1,440.00	\$34,560.00	\$1,400.00	\$33,600.00	\$1,100.00	\$26,400.00	\$1,450.00	\$34,800.00	\$1,116.43	\$26,794.29
24	Remove & Replace - 5" Class "A" Reinforced Concrete Driveway Pavement Outside of Contract Region	1,200	SF	\$5.00	\$6,000.00	\$5.00	\$6,000.00	\$7.00	\$8,400.00	\$6.12	\$7,344.00	\$6.00	\$7,200.00	\$7.00	\$8,400.00	\$8.50	\$10,200.00	\$6.37	\$7,649.14
25	Remove & Replace - 6" Class "C" Reinforced Concrete Alley Pavement Outside of Contract Region	1,800	SF	\$6.00	\$10,800.00	\$6.00	\$10,800.00	\$9.00	\$16,200.00	\$7.14	\$12,852.00	\$7.00	\$12,600.00	\$7.25	\$13,050.00	\$8.50	\$15,300.00	\$7.27	\$13,086.00
26	Remove & Replace - 6" Class "C" Reinforced Concrete Street Pavement Outside of Contract Region	500	SF	\$6.00	\$3,000.00	\$6.00	\$3,000.00	\$7.00	\$3,500.00	\$7.14	\$3,570.00	\$8.00	\$3,000.00	\$7.25	\$3,625.00	\$9.00	\$4,500.00	\$6.91	\$3,456.43
27	4" Topsoil with Block Sod to Match Existing Outside of Contract Region	3,000	SF	\$1.00	\$3,000.00	\$0.66	\$1,980.00	\$1.00	\$3,000.00	\$1.56	\$4,680.00	\$1.25	\$3,750.00	\$0.60	\$1,800.00	\$1.00	\$3,000.00	\$1.01	\$3,030.00
28	Adjust Manhole Lids to Grade	35	EA	\$550.00	\$19,250.00	\$100.00	\$3,500.00	\$500.00	\$17,500.00	\$600.00	\$21,000.00	\$500.00	\$17,500.00	\$600.00	\$21,000.00	\$200.00	\$7,000.00	\$436.71	\$15,250.00
29	6' X 4' Project Signs	12	EA	\$450.00	\$5,400.00	\$500.00	\$6,000.00	\$500.00	\$6,000.00	\$600.00	\$7,200.00	\$500.00	\$6,000.00	\$300.00	\$3,600.00	\$500.00	\$6,000.00	\$478.57	\$5,742.86
30	Construction Contingency	1	LS	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00
TOTAL AMOUNT BID					\$1,049,665.00		\$1,224,620.00		\$1,379,135.00		\$1,645,598.00		\$1,717,157.00		\$1,726,775.00		\$2,097,960.00		\$1,548,700.00
CONTRACTORS BID					SAME		SAME		SAME		SAME		SAME		SAME		SAME		SAME

Engineer's Estimate: \$1,177,500.00

Certified By: 
Steve Spanos, P.E., Director of Engineering



E. CAMPBELL RD.

E. COLLINS BLVD.

E. ARAPAHO RD.

N. GLENVILLE DR.

N. PLANO RD.

REGION 9

REGION 11

N. JUPITER RD.

E. BELT LINE RD.

SIDEWALK REPAIR PROGRAM

REGIONS 9 & 11

BID # 60-13 OCTOBER 2013

1" = 1200'



**CITY OF
RICHARDSON
TEXAS**





MEMO

DATE: August 29, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #65-13 for Conducted Electrical Devices and Accessories for the Police Department to Taser International in the amount of \$65,345.39

Proposed Date of Award: September 9, 2013

I concur with the recommendation of Captain Brent Tourangeau and request permission to issue a purchase order to Taser International for conducted electrical devices and accessories to Taser International in the amount of \$65,345.39, as per the attached memo.

Taser International holds a twenty-year Patent #223507 issued on February 11, 2004 for inventing an electrical disabling device for use by law enforcement. This patent qualifies Taser International as a sole source supplier exempt from competitive bidding for said devices as allowed by Texas Local Government Code Chapter 252.022 (a)(7)(A).

Funding is available in accounts 313-9755-583-7499, Project 313194 and 011-1011-521-6111 for these expenditures.

Concur:


Kent Pfeil

ATTACHMENTS

XC: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish



MEMO

DATE: August 14, 2013

TO: Pam Kirkland

FROM: Captain Brent Tourangeau

SUBJECT: TASER International - Sole Source Vender of Taser Products
for **Conducted Electrical Devices**

Research has shown that the overall injury rate for police officers and suspects have declined since the introduction of ECDs. Richardson police officers should have an additional option of less lethal force in order to protect themselves, the community, and ultimately the suspect from unnecessary injuries or death as the result of violent behavior.

It is our recommendation to provide a partial acquisition of forty (40) ECDs and optional equipment, rather than a full deployment. This option will allow access to the ECD for all of our officers assigned to patrol during a designated shift. Cost will be less than a half of the cost for department wide deployment.

Our research also indicates that TASER International is the only manufacturer of conducted electrical devices and holds a patent for their invention thus making this a sole source procurement. TASER's electronic control devices are widely used by other law enforcement agencies.

Attached is a quote from TASER International in the amount of \$65,345.39 for the items requested for purchase. Funds are available for this expenditure in accounts 313-9755-583-7499, Project 313194 and 011-1011-521-6111.



Prepared By Kyle Panasewicz Created Date 8/27/2013
Company Name TASER International Fax (480) 658-0673
Company Address 17800 N. 85th Street Expiration Date 10/31/2013
Scottsdale, AZ 85255-9603 US Quote Number 00013925
Phone (480) 905-2071
E-mail kpanasewicz@taser.com

Customer Information

Account Name Richardson Police Dept. - TX Email brent.tourangeau@cor.gov
Contact Name Brent Tourangeau Phone (972) 744-4958
AX Account Number 451087

Shipping and Billing Information

Bill To Name Richardson Police Dept. - TX Ship To Name Richardson Police Dept. - TX
Bill To 140 N. Greenville Ave. Ship To 140 N. Greenville Ave.
Richardson, TX 75081 Richardson, TX 75081
US US

Part Number	Product	Quantity	Sales Price	Total Price
22011	APPM, BATTERY PACK, AUTO SHUT OFF, X2/X26P	40.00	USD 61.95	USD 2,478.00
22151	CARTRIDGE, PERFORMANCE, SMART, 25'	425.00	USD 29.95	USD 12,728.75
22155	CARTRIDGE, PERFORMANCE, SMART, INERT SIM, 25'	6.00	USD 39.95	USD 239.70
22157	CARTRIDGE, PERFORMANCE, SMART, TRAINING, 25'	108.00	USD 28.95	USD 3,126.60
22003	HANDLE, YELLOW, CLASS III, X2	40.00	USD 978.00	USD 39,120.00
22504	HOLSTER, BLACKHAWK, LEFT, X2, 44HT01BK-L-B	12.00	USD 61.95	USD 743.40
22501	HOLSTER, BLACKHAWK, RIGHT, X2, 44HT01BK-R-B	96.00	USD 61.95	USD 5,947.20
22013	KIT, DATAPORT DOWNLOAD, USB, X2/X26P	1.00	USD 159.95	USD 159.95
44550	SUIT, SIM, MODEL II	1.00	USD 550.00	USD 550.00
80000	TARGET, CONDUCTIVE, 2 PART, BACK	2.00	USD 12.95	USD 25.90
80001	TARGET, CONDUCTIVE, 2 PART, FRONT	2.00	USD 12.95	USD 25.90

Notes: ***To process this order, sign the quote and fax to 480-658-0673, or scan and email to kpanasewicz@taser.com***

Subtotal	USD 65,145.40
Total Price	USD 65,145.40
Shipping and Handling	USD 199.99
Grand Total	USD 65,345.39

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers or, in the alternative, TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers for Sales with Financing if your purchase

involves financing with TASER. If your purchase includes the TASER Assurance Plan (TAP), then you are also agreeing to TASER's current Sales Terms and Conditions for the AXON Flex™ and AXON Body™ Cameras TASER Assurance Plan (U.S. Only) and/or Sales Terms and Conditions for the X2/X26P and TASER CAM HD Recorder TASER Assurance Plan (U.S. Only), as applicable to your product purchase. All of the sales terms and conditions, as well as, the TAP terms and conditions are posted at <http://www.taser.com/sales-terms-and-conditions>. If your purchase includes AXON hardware and/or EVIDENCE.com services you are also agreeing to the terms in the EVIDENCE.com Master Service Agreement posted at <http://www.taser.com/serviceagreement0213>. The sale of the Professional Services is subject to the parties execution of TASER's Professional Services Agreement and a Statement of Work. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

Quote Acceptance:

Signature:

Printed Name:

Title:

Email:

Date:

PO Not Required:

PO Number:



MEMO

DATE: September 4, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

SUBJECT: Award of Bid #68-13 for Additional Onbase Software Licenses and Services to Imagesoft, Inc. in the amount of \$63,785

Proposed Date of Award: September 9, 2013

I concur with the recommendation of Steve Graves – Chief Information Officer, and request permission to issue a purchase order to Imagesoft, Inc. for additional Onbase software licenses and additional custom software development services in the amount of \$63,785, as per the attached memo.

The City purchased the Onbase document management software through one of their approved resellers, Imagesoft, Inc., on RFP #702-10 on September 13, 2010. Hyland Software, the developer of Onbase, recommends Onbase end-users purchase additional licenses and custom development from the reseller supporting their system due to their personal interest in the configuration and usage of the system, as well as, preserving the integrity of the system maintenance. These circumstances qualifies this as a sole source procurement exempt from competitive bidding as allowed by Texas Local Government Code Chapter 252.022 (a)(7)(A).

Funding is available in accounts 011-0540-514-4323, 011-0540-514-3499, 511-5120-502-4323 and 511-5120-502-3499.

Concur:


Kent Pfeil

ATTACHMENTS

XC: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish



MEMO

DATE: September 4, 2013

TO: Pam Kirkland, Purchasing Manager
Kent Pfeil, Director of Finance

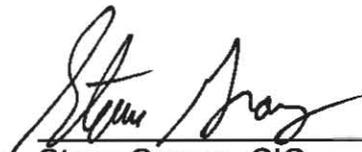
FROM: Steve Graves, CIO

SUBJECT: Onbase Services and Software Licenses

The City of Richardson uses Onbase imaging and workflow software as our electronic document management system (EDMS). This request is for additional software licenses to accommodate our customers in multiple city departments. We are also including custom software development services to add geographic document selection tools for Capital Projects, Building Inspection and Development Services.

Onbase was originally purchased by Municipal Court through the procurement process and is now the strategic document platform for the City which makes this purchase sole source.

The total expense related to this purchase is \$63,785.00. This purchase was budgeted in the 2012/2013 budget using accounts 011-0540-514-4323, 011-0540-514-3499, 511-5120-502-4323 and 511-5120-502-3499.



Steve Graves, CIO



Statement of Work

Statement of Work No.	13737
Revision No.	2
Customer Name:	City of Richardson
Project Name:	Additional Licenses & Services
ImageSoft Contact:	Kevin Kowalkowski

This Statement of Work is made and entered into by and between ImageSoft, Inc., a Michigan Corporation with its principal offices at 25900 West 11 Mile Rd, Suite 100, Southfield, MI 48034 ("ImageSoft"), and City of Richardson with its principal offices at 411 W. Arapaho Road Richardson, TX 75083-0309 ("Customer"):

This Statement of Work ("SOW") is to be attached to and is hereby made a part of the Professional Services Agreement ("PSA") entered into by and between Customer and ImageSoft dated 11/29/2010.

Unless otherwise specified, the products and services provided within this SOW are hereby added to and covered for the duration and under the terms of the System Maintenance Agreement (SMA) entered into by and between Customer and ImageSoft dated 11/29/2010.

To the extent that any terms and conditions contained in the related PSA or SMA are in conflict with, or in addition to the terms and conditions of this Statement of Work, the terms and conditions of this Statement of Work shall control.



1. Introduction

This SOW will cover the purchase of 20 additional OnBase Concurrent Client Licenses, 20 additional Front Office Scanning Licenses and up to 10 hours of ImageSoft professional services to allow purchasing, accounting and other departments to add users to OnBase.

ImageSoft will provide staff augmentation services for a technical position. The following describes the type of assistance the ImageSoft consultant will be providing:

1. OnBase technical assistance that may be identified by the City of Richardson staff.

2. Pricing

The table below provides estimated pricing for software and services only.

City of Richardson		4/30/2012		
Additional Licenses & Services				
Software				
	Product	Unit Cost	# Units	Cost
OnBase Software				
Local Government Concurrent Client	GV-B-MU2-CTIPC1	\$650	20	\$13,000
Front Office Scanning	FOIPW1	\$1,000	20	\$20,000
OnBase Annual Maintenance and telephone support	OBMAINT			\$6,435
	Software Subtotal			\$39,435
Services				
	Product	Unit Cost	# Units	Cost
ImageSoft Professional Services		\$175	10	\$1,750
	Services Subtotal			\$1,750
Total				
	Grand Total			\$41,185
<i>Pricing valid for 30 days</i>				

2.1 Payment Schedule

All payments will be due on a Net-30 day basis.

2.2 Time and Materials Services

ImageSoft has provided an estimate of the required services hours to complete the tasks described herein and will provide services on a time and materials basis. ImageSoft will only bill for the actual hours expended on behalf of the Customer and has made a best-estimate based on current available information. Estimates may require updating after the Analysis and Design process is complete.

A purchase order or signed agreement is required to be in place to cover all ImageSoft estimated hours. The Standard Hourly Rate is \$175 per hour.

There are no contractual deliverables produced as part of this SOW. Work products and other project artifacts that may be produced as part of this hourly assist SOW do not require acceptance and signoff.

2.3 Out-Of-Pocket Expenses

Customer shall reimburse ImageSoft for all reasonable out-of-pocket expenses that ImageSoft incurs in performing the Work described herein. Out-of-pocket expenses shall include travel costs, meals, and lodging expenses and must be supported by proper invoices or other appropriate documentation.

Customer shall reimburse ImageSoft for travel time in excess of one (1) hour per day at an hourly rate equal to 50% of the Standard Hourly Rate.



3. Approval

Signature is required to accept this SOW. By signing below each party agrees to the proposed project scope and authorizes work to begin.

<p><i>Agreed to:</i> City of Richardson 411 W. Arapaho Road Richardson, TX 75083-0309</p>	<p><i>Agreed to:</i> ImageSoft, Inc. West 11 Mile Rd, Suite 100 Southfield, MI 48034</p>
<p>By: _____ Authorized Signature</p>	<p>By: _____ Authorized Signature</p>
<p>Date: _____</p>	<p>Date: _____</p>
<p>Name (type or print): _____</p>	<p>Name (type or print): <u>Scott Bade</u></p>
<p>Title (type or print): _____</p>	<p>Title (type or print): <u>President</u></p>
<p>Project name: <u>Additional Licenses and Services</u></p>	

<p><i>Internal Use:</i> Opportunity #: <u>13737</u></p> <p>Sales Order #: _____</p>

Statement of Work

Statement of Work No.	14732
Revision No.	2
Customer Name:	City of Richardson, TX
Project Name:	Bulk export on Silverlight/GIS add-on
ImageSoft Contact:	Kevin Kowalkowski
Submitted Date:	9/3/2013

This Statement of Work is made and entered into by and between ImageSoft, Inc., a Michigan Corporation with its principal offices at 25900 West 11 Mile Rd, Suite 100, Southfield, MI 48034 ("ImageSoft"), and City of Richardson, TX with its principal offices at Information Services, 411 W. Arapaho, Richardson, TX 75080 ("Customer"):

This Statement of Work ("SOW") is to be attached to and is hereby made a part of the Professional Services Agreement ("PSA") entered into by and between Customer and ImageSoft dated 11/29/2010.

Unless otherwise specified, the products and services provided within this SOW are hereby added to and covered for the duration and under the terms of the System Maintenance Agreement (SMA) entered into by and between Customer and ImageSoft dated 11/29/2010.

To the extent that any terms and conditions contained in the related PSA or SMA are in conflict with, or in addition to the terms and conditions of this Statement of Work, the terms and conditions of this Statement of Work shall control.

1. Introduction

The City of Richardson has requested services for building functionality to extract documents from OnBase and saving them to local disk. This is a common request from developers, architects and the public when requesting drawings for an area. Users in the Silverlight application will select an area of the city through the Silverlight interface. Any layers linked from GIS to OnBase via a common attribute, such as the parcel layer (landID), subdivision layer (subdivision code), sewer lines layer (pipeID), etc, will result in a combined listing of documents for the user selection. Upon pressing an export button in the Silverlight interface, the resulting documents will then be passed to the OnBase API which will then perform a query within the OnBase repository to retrieve those documents relating to that search criteria for storage in a local folder location of the user's choosing. The extracted files will be exported with the title attribute if it exists, otherwise, the autoname string.

ImageSoft will be providing the Unity Integration Toolkit OnBase module and will subcontract up to 48 hours of Hyland Technical Services to complete the City of Richardson's request.

ImageSoft will work with the City of Richardson to schedule all work being conducted for this project.

2. Pricing

The table below provides estimated pricing for software and Hyland Technical Services.

Software				
	Product	Unit Cost	# Units	Cost
OnBase Software				
Unity Integration Toolkit	UIIPI1	\$10,000	1	\$10,000
OnBase Annual Software Maintenance	OBMAINT	\$1,950	1	\$1,950
Software Subtotal				\$11,950
Services				
	Product	Unit Cost (hours)	# Units (hours)	Cost
ImageSoft Services				
ImageSoft Project Management		\$165	2	\$330
Hyland Services				
Hyland Technical Services		\$215	48	\$10,320
Services Subtotal				\$10,650
Total				
Grand Total				\$22,600
<i>Pricing valid for 30 days</i>				

2.1 Payment Schedule

All payments will be due on a Net-30 day basis.

3. Approval

Signature is required to accept this SOW. By signing below each party agrees to the proposed project scope and authorizes work to begin.

Agreed to: City of Richardson, TX 411 W. Arapaho Richardson, TX 75080	Agreed to: ImageSoft, Inc. 25900 West 11 Mile Rd, Suite 100 Southfield, MI 48034
By: _____ Authorized Signature	By: _____ Authorized Signature
Date: _____	Date: _____
Name (type or print): _____	Name (type or print): Scott Bade
Title (type or print): _____	Title (type or print): President
Project name: Bulk export on Silverlight/GIS add-on	

<i>Internal Use:</i> Opportunity #: <u>14732</u>
Sales Order #: _____



MEMO

DATE: September 3, 2013
TO: Kent Pfeil – Director of Finance
FROM: Pam Kirkland – Purchasing Manager 
SUBJECT: Award of Bid #703-13 for the best value award of the Municipal Court Collection Services to Municipal Services Bureau in an estimated amount of \$130,000

Proposed Date of Award: September 9, 2013

I concur with the recommendation of Kimberly Kierce – Court Administrator, and request permission to enter into a contract for the above referenced collection services to Municipal Services Bureau, as outlined in the attached memo.

This is a two year contract with options for six (6) additional one year renewals, if agreeable to both parties. The award of this contract was based on best value criteria as provided in the Texas Local Government Code, Chapter 252.043, which allows consideration of other factors besides price alone when awarding a contract for goods and services.

Payment of these services is offset by a 30% collection fee added on to each case sent for collection in accordance with Article 103.0031 of the Texas Code of Criminal Procedure, as amended. Funding is provided in 011-0590-514-3402 and we estimate \$130,000 in collection fees for FY13-14.

A prebid conference was held on July 18, 2013 and twelve bidders and three staff members were in attendance. The bid was advertised in *The Dallas Morning News* on July 2 & 9, 2013 and was posted on Bidsync.com. Nine hundred and forty-four electronic solicitations were distributed; thirty-two vendors viewed the solicitation; and four responsive bids were received.

Concur:


Kent Pfeil

Attachments

XC: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

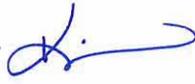


MEMO

DATE: September 3, 2013

TO: Pam Kirkland – Purchasing Manager

THROUGH: Kent Pfeil – Director of Finance

FROM: Kimberly D. Kierce, Court Administrator 

SUBJECT: Award of RPF #703-13 for Municipal Court Collection Services
Proposed Award Date: September 9, 2013

The Municipal Court is seeking a contract for outstanding municipal court fines, fees and costs. Potential proposers were sent a request for proposal on July 2, 2013 with a deadline of 2:00 pm on July 30, 2013. The proposal was posted on Bidsync.com and a pre-Bid conference was held on July 18, 2013. Four proposals were received.

It is the recommendation of the RFP #703-13 Evaluation Committee to award the Municipal Court Collection Services Contract to **Municipal Services Bureau**. The proposals were evaluated on the criteria of Offeror Qualifications (25 pts), Offeror Questionnaire (15 pts), Collection Procedures (25 pts), Computer Network (10 pts), Management Reports (15 pts), and Insurance Verification Services (10 pts) for a total of 100 points. The award of this contract is based on the most qualified vendor to serve the needs of the City of Richardson. The proposal from Municipal Services Bureau received the highest cumulative average score (86 pts) by the Committee.

Funding for the award of the RFP is provided in account #011-0590-514-3402 in the amount of \$130,000 for FY 14. This expenditure is offset by a 30% collection fee added on to each case sent for collection in accordance with Article 103.0031 of the Texas Code of Criminal Procedure, as amended.



MEMO

DATE: September 4, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

SUBJECT: Change Order to increase purchase order 121369 to Hill & Wilkerson Construction for the Heights Park Recreation Center, Aquatics and Gymnastics Center in the amount of \$333,093.86

Proposed Date of Award: September 9, 2013

I concur with the recommendation of Michael Massey – Director of Parks and Recreation, and request permission to increase the above referenced purchase order in the amount of \$333,093.86 as outlined in Mr. Massey's attached memo.

Texas Local Government Code Chapter 252.048 allows for change orders to contracts if plans or specifications are necessary after or during the performance of the contract to decrease or increase the quantity of work to be performed or of materials, equipment or supplies to be furnished. The contract may not be increased by more than 25% of the original contract amount or decreased more than 25% without the consent of the contractor and any change order over \$50,000 must be approved by the governing body of the municipality.

This change order is within the 25% maximum change order limit but requires approval by the governing body because it is over \$50,000.

Concur:


Kent Pfeil

Approved:

Dan Johnson

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish



MEMO

TO: Pam Kirkland, Purchasing Manager

FROM: Roger Scott, Assistant Director of Parks & Recreation 

SUBJECT: Change Order #3 to **INCREASE** Purchase Order #121369
Hill & Wilkinson Construction - Heights Park Recreation & Aquatics Center

DATE: 09/04/2013

ACTION REQUESTED

Process change order #3 to **INCREASE** Purchase Order #121369

ACCOUNT SUMMARY

Original Purchase Order	\$9,773,893.00
Change Order #1	\$366,000.00
Change Order #2	(\$86,500.00)
Change Order #3	\$333,093.86
Total Authorized Contract Amount	\$10,386,486.86

BACKGROUND INFORMATION

Aspects of these projects necessitating this change order include items such as unanticipated groundwater conditions, additional shade structures for the Heights Aquatic Center, additional expense related to the demolition of the former Heights Recreation Center and landscape improvements.

FUNDING INFORMATION

Account #232-3021-581-7371 Projects #PR1202, PR1203, PR1204,
 Account #232-3021-581-7431 Projects #PR1207, PR1213, PR1306,
 Account #313-9755-583-7371 Project #313170
 Account #378-8704-585-7524 Project #PK1011
 Account #378-8704-585-7524 Project #PK1204
 Account #378-8704-585-7431 Project #PK1302
 Account #379-8704-585-7524 Project #PK1201

Cc: Michael Massey, Director of Parks & Recreation
 Steve Spanos, P.E., Director of Engineering
 Cliff Goff, Tin Star
 Carolyn Kaplan, Capital Projects Accountant