MINUTES OF A WORK SESSION OF THE CITY COUNCIL
March 12, 2012
City of Richardson, Texas

A Work Session of the City Council was convened at 6:00 p.m., Monday, March 12, 2012 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka	Mayor Pro Tem
Mark Solomon	Council member
Scott Dunn	Council member
Kendal Hartley	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Bill Keffler	City Manager
Dan Johnson	Deputy City Manager
Michelle Thames (absent)	Assistant City Manager Administrative Services
David Morgan (absent)	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Pamela Schmidt	City Secretary
Don Magner	Director of Community Services
Michael Spicer	Director of Development Services
Michael Massey	Director of Parks & Recreation
Briana Estrello	Parks & Recreation Intern

- **Call to Order** – Mayor Townsend called the meeting to order at 6:01 p.m.

A. Review and Discuss Items Listed on the City Council Meeting Agenda
Mr. Keffler advised that the applicant for ZF 12-02 was previously before the Council regarding the same property with a similar request in December 2011 and asked Michael Spicer, Director of Development Services, to brief the Council.

Mr. Spicer explained that the Council denied the earlier request without prejudice. He stated the principal difference between the two applications is that the applicant eliminated the outdoor vehicle storage component. He reviewed ZF 12-02 stating that the subject property is about 4.7 acres in area and stating that the industrial zoning was being requested for a portion of the total property consisting of approximately 3.5 acres. The balance of the site would remain commercial zoning. The request limits to the Industrial zoning uses allowed to indoor self storage and commercial zoning uses. He talked about the possibility of an expansion on the site with additional landscaping. Required parking with the expansion is 28 spaces and there are over 100 spaces currently available. Mr. Spicer also advised that the permit was limited to 20 years. He advised that the Plan Commission recommended approval with a vote of 5-2; he stated there was one letter in opposition to the request and one speaker in favor of the request. In response to Mr. Mitchell, he explained the types of uses that could occur with Industrial zoning rights and underscored that the zoning requested was limited to indoor self storage. Mr. Omar asked about the process for renewal and Mr. Spicer explained that at the conclusion of the 20 year period, the applicant would be required to submit an application for a 5-year renewal

of the special permit, which would be heard by the Plan Commission and the City Council when requested. Discussion was held with regard to review of special permits. In response to Mr. Dunn, Mr. Spicer stated the applicant understands that the Council could deny any renewal and the City would not be liable financially. He also responded to Mr. Mitchell explaining that the Council can call up a special permit or any zoning at any time with good reason and further stated that economic development could be considered a health, safety or welfare under certain circumstances.

Mr. Keffler asked Don Magner to review Ordinance 3857 amending various code enforcement items. Mr. Magner highlighted the sections being changed and explained the purpose of the changes. Discussion was held pertaining to the timeframe for registering a garage sale and no change was made.

Mr. Magner reviewed SCB Case #12-04, request by CF Office Venture Ltd 2 for a 95 ft variance to the required 250 ft distance requirement between a monument sign and an additional multiple-use monument sign at the property located at 2600 N Central Expressway. He explained that the proposed placement of the signs is necessary to allow adequate visibility of signs to identify subject property. He provided photos of the proposed signs and sign placement. He reported that the Sign Control Board unanimously approved the request at the March 7, 2012 meeting. In response to Mr. Solomon, Mr. Magner stated neither included lights. Mayor Townsend asked about the time frame for recommendations to amend the Sign Ordinance and Mr. Magner replied that recommendations should be before Council shortly after May.

B. Review and Discuss the Willows Apartment Complex and Dangerous Building Considerations

Mr. Keffler advised Council that an item is on the Regular Meeting agenda for to allow action to be taken if the Council feels it is warranted determining that the Willows Apartment Complex is a dangerous building. He asked Mr. Magner to brief the Council.

Mr. Magner stated the complex is located at the corner of Bowser and Frances Way constructed in 1964 and is a two-story complex consisting of 35 units. He provided photos of the complex illustrating the elevations. He stated that the building has been completely secured but it has been the subject of graffiti and break-ins. He provided the following history of action on the property.

- July 2009 – Failed Annual Apartment Inspection
- April 2010 – Building and Standards Commission Hearing
- July 2010 – Revoked Certificate of Occupancy
- August 2010 – Relocated remaining residents
- September 2010 – Filed Civil Lawsuit in Dallas County District Court
- April 2011 – Filed Motion for Default Judgment
- May 2011 – Default Judgment Awarded
- January 2012 – City takes ownership of property

Mr. Magner noted that the owner abandoned the property sometime around mid-June 2011 and was completely unresponsive, leaving it to the City to address the needs of the remaining tenants. He talked about the significant notification requirements that the Court had to undertake in the circumstances including requiring the Attorney General of California to serve papers on the owner. He provided a list of violations according to the sections of City Codes

and advised that significant levels of asbestos contamination was discovered, which would require additional precautions during demolition. He stated that due to the significant structural, utility, property standards, health and environmental violations at the property, Staff recommends that the Council declare that 116 S. Bowser Road, including all buildings and structures, is a dangerous structure as defined to Section 271.0461 of the Texas Local Government. Mr. Keffler underscored the seriousness of the condition of the complex and noted that action by the Council during the Regular Meeting is a legislative/judicial element that is required in order to move forward with removal of the building.

Mr. Solomon asked about the timeframe for demolition and Mr. Magner replied that authorization to bid the demolition project would be before the Council in late March, followed by award in mid May and demolition around the first of June 2012.

C. Review and Discuss Proposed Trail Rules and Guidelines

Mr. Keffler introduced Briana Estrello, intern who previously worked in the City Manager's office and is now interning in the Parks & Recreation Department. He advised that she would be graduating in May from UT Dallas from the Masters Program in school of Economic, Political, and Policy Sciences and noted her work on the proposed trail rules and guidelines. He asked Michael Massey, Director of Parks & Recreation, to brief the Council.

Mr. Massey began the presentation noting the heavy involvement of Ms. Estrello with the proposal and specifically noted her presentation of the item to the Parks Commission on January 10, 2012. He explained the need for rules and guidelines for the trails is to maximize the trail experience while keeping mind respect for park property and the safety of trail users. He stated they are based on a combination of City ordinances and park rules. He provided comparative information from eight neighboring cities and illustrated various trail sign examples. The proposal included rules regarding pets, safe speed, curfew hours, trash receptacles, bicyclists yielding row and prohibiting vehicles, alcohol, firearms and equestrian riding. The guidelines consist of trail courtesy and safety tips such as looking ahead and behind before turning around on a trail and listening for others, and he stated the information would be web based. He defined and explained the difference between multi-use trails, soft surface trails, single track trails, walking trails, and bikeways. He stated there are currently 31.9 miles of multi use trails and 5.1 soft surface trails in Richardson and 18.6 miles of multi use trails planned for the future. He advised that some adjustments of ordinances would be required at a future meeting.

Mr. Dunn asked about the expansion of bike lanes and Mr. Massey stated that the Staff of the Parks Department and Traffic Division works closely on bike lanes. Mr. Omar asked about the inclusion of alcohol use, curfew, and firearm use. Mr. Massey responded that the items are listed as unlawful acts in the Parks Ordinance and the intent is to have the trail rules be the same as current Parks rules. He noted that the City's trails are not all on park property and the license agreements, Park rules would transfer to trails. Mr. Omar voiced concern about a curfew on use of the trail because DART riders may need to use the trails after 10:30 p.m. Mr. Massey explained that the curfew is also a tool for the police people who may be congregating or loitering in the parks. Mr. Omar suggested a rule that prohibits congregating or loitering rather than use of the trail. Ms. Maczka agreed with the re-enforcement of existing rules and laws, particularly regarding alcohol. Mr. Mitchell asked for clarification regarding curfew hours and Mr. Solomon asked about DART riders. Mr. Keffler replied that he would let the Council know when the next renewal would be and felt that the train stopped running around 1:00 a.m. on weekends. Mayor Townsend agreed that more review was needed on the topic of curfew hours, particularly with regard to the different types of trails. Ms. Estrello stated that many of the

trails are not lighted so safety was another reason for the curfew hours. Mr. Solomon stated the general concept was very good due to the safety concept and talked about the importance of implementing rules because many of the trails are not within public parks. Mr. Omar suggested the rules prohibit loitering or congregating rather than set curfew hours. Mr. Mitchell agreed with Ms. Maczka and Mayor Townsend with regard to identifying the trails that address transportation more so than recreation and suggested reviewing cost for lighting the trails. Mr. Keffler stated staff would return with revised language.

Mayor Townsend recessed the Work Session at 7:26 p.m. and reconvened the Work Session at 8:59 p.m.

D. Review and Discuss the 2011 – 2013 City Council Near Term Action Items

Mr. Keffler stated the item was on the agenda in response to the Council's desire for a quarterly review of the Near Term Action Items. He stated that Staff was available to answer questions and receive the Council's feedback. Discussion was held on various items and whether or not the items should be listed as "complete" at the end of the discussion on the item. Council gave direction for a future work session discussion item to review the following items:

- Meeting process
- International and young professional items
- Golf professional contract
- Review and redefine outstanding near term action items

E. Report on Items of Community Interest

On the prompting of Mr. Omar, Ms. Maczka announced that her 14 year old son, Blake, competed at the State swim meet in The Woodlands setting a new State record in the 1,000 free swim ranking him as the fastest in that race in the US, and he proceeded to earn two more gold medals. She also reported that she and Mayor Townsend had the opportunity to participate in the bond rating meetings last week and stressed that the briefing book tells every aspect of the City of Richardson underscoring the value of the continuity of the management of Richardson. Mayor Townsend agreed and stated it was very obvious that the rating agencies really like Richardson. Mr. Mitchell noted that the rating agencies also do their own research prior to holding the rating meetings. Ms. Maczka noted that they look at more than just the financial condition of the city.

EXECUTIVE SESSION

- In compliance with Section 551.074 of the Texas Government Code, Council convened into a closed session at 9:55 p.m. to discuss the following:

    - Personnel
        - City Manager

- Council reconvened into open session at 10:22 p.m. to take action, if any, on matters discussed in executive session.

ACTION TAKEN: Mr. Mitchell moved to approve the presented employment compensation agreement between the City of Richardson and Dan Johnson as City Manager beginning June 1, 2012 and authorize the mayor to execute the agreement and any periodic

amendments thereto on behalf of the City; second by Mr. Dunn and the motion was approved with a unanimous vote.

Mayor Townsend adjourned the meeting at 10:23 p.m.

B. J. Townsend
MAYOR

ATTEST:
Pamela Schmidt
CITY SECRETARY