

MINUTES OF A MEETING OF THE CITY COUNCIL
May 21, 2012
City of Richardson, Texas

A Meeting of the City Council was convened at 6:00 p.m., Monday, May 21, 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	Assistant City Manager Administrative Services
David Morgan	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Vickie Schmid	Deputy City Secretary
Don Magner	Director of Community Services

Call to order – Mayor Townsend called the meeting to order at 6:07 p.m.

Visitors – None.

Review and Discuss the Neighborhood Associations Coop Alternatives

Mr. Keffler stated that neighborhood cooperatives were a part of Council's Near Term Action Items and advised that staff had considered three alternatives which Mr. Don Magner would review with the Council. Mr. Keffler noted that all alternatives had been discussed in detail with the City Attorney.

Mr. Magner stated that staff reviewed various issues faced by Homeowners Associations to determine if partnering with the City would be beneficial, including insurance for directors/officers/special events; identifying vendors for maintenance, irrigation and pest control needs; and Request For Proposal/bid processes.

Relative to HOA insurance costs, Mr. Magner stated that premium costs were determined by specific underwriting criteria such as financial considerations, previous loss information, size, bylaws, sponsored events, and property owned. He noted that many HOAs may be over-insured and suggested providing tools such as a vulnerability survey and a 20-question checklist to empower the HOA to make informed decisions regarding their insurance needs.

To address other HOA issues, Mr. Magner presented three partnering alternatives:

- Alt. 1: City Sanctioned Coop: Associations would take part in an official coop that was created and managed by City staff;
- Alt. 2: City “Piggybacking” Coop: Associations would be eligible for the same contract pricing and terms as a City contract;
- Alt. 3: City Facilitated Coop: An unofficial coop that would be facilitated by the City in response to associations interests.

Mr. Magner stated that Alternative 1 is not recommended because the law does not provided for third party bids for goods/services that the City will not be using and that Alternative 2 is not recommended because accepted bids/contracts are not structured for small scale assignments and may result in higher costs to the City to offset vendor losses on smaller jobs. He recommended Alternative 3 which would allow the City to:

1. Coordinate meetings between associations interested in exploring coop opportunities;
2. Coordinate meetings between associations and contractors;
3. Assist associations in drafting contract specifications;
4. Assist associations with questions related to review and selection considerations;
5. Enhance online resources; and
6. Provide training specific to voluntary and mandatory associations at the Fall Neighborhood Leadership Workshop.

Mr. Magner felt that information gathered from HOAs could be easily maintained on the Neighborhood Resources pages with minimal staff time. He asked for Councils comments.

Council was in agreement that “Alternative 3 – City Facilitated Coop” was the best option. In addition, it was the consensus of the Council that staff should provide general guidance and best practices information, but should not make recommendations, review bids, or search for contractors. Council expressed concern regarding the amount of staff time required to provide this level of assistance, the appearance of promoting one vendor over another, and the possible adverse effect on City contracts if vendors felt providing services to HOAs was mandatory. Mr. Magner noted that he envisioned staff helping to form coops among associations, educating the participants, and turning over the day-to-day operations to the HOAs. He noted that the next Council/HOA Presidents meeting could address the idea of coops and identify specific areas where HOAs need assistance or information.

Mr. Magner said the City Attorney had reviewed the alternatives and advised that the City should play an independent role, not advisory role, in the coop and any materials provided should bear a disclaimer that the information is meant to be helpful only and does not constitute legal advice. An on-line bulletin board was suggested as a way to assemble and disseminate information to the associations, with a link to the bulletin board on the City’s Neighborhood Resources pages, as well as providing a link to the Board of Directors Test and the Annual Vulnerability Survey as tools for HOAs.

With regard to the six actions identified in Alternative 3, Council reached a consensus to move forward with item 1 - as written; item 2 – remove; items 3 and 4 – replace “Assist” with “Provide general guidelines and best practices to”; item 5 - provide access to information generated by HOAs, so long as the City is not responsible for maintaining the content; and item 6 - as written. In addition, Council reached the consensus that any disclaimers deemed necessary by the City

Attorney should be included on documents provided to the HOAs. Mayor Townsend and Council agreed that this Near Term Action Item is considered complete.

Consider Resolution No. 12-08, authorizing the City Manager to negotiate and execute an economic development agreement pursuant to Chapter 380, Texas Local Government Code, by and between the City of Richardson and Hartman Richardson Heights Properties, LLC, a Texas limited liability company.

Mr. Keffler stated that with the discussions in Executive Session, the recent public hearing, and signing of the lease agreement complete, the next step in the process for Alamo Drafthouse is consideration of Resolution 12-08 relative to an Economic Development Agreement with Hartman Richardson Heights Properties, LLC. He asked David Morgan to brief the Council.

Mr. Morgan gave a brief history of the shopping center and noted that Hartman purchased the center in 2011 with a vision to reposition the asset, making it attractive to national retail tenants. He noted that Hartman worked diligently with the City and Richardson Chamber of Commerce to bring Alamo Drafthouse to the Richardson Heights Shopping Center. The Alamo Drafthouse offers a unique combination of restaurant and theater, screening first run movies, independent and foreign films, and movie marathons. Mr. Morgan noted that Alamo Drafthouse made a 15 year commitment to occupy over 30,000 sf of the 39,000 sf building (previously occupied by Pep Boys). He stated that substantial tenant improvements were necessary to increase the roof height to 35' to accommodate the theater and that economic incentives were necessary to bring the project to completion. The proposed economic incentive agreement would include 100% sales tax for Alamo only for a 10-year period (cap \$100,000) and a \$300,000 grant for Hartman Richardson Heights over 5 years. Mr. Morgan advised that the theater is anticipated to open Spring 2013 and benefits to be gained from its opening are varied, including regional retail draw, unique marketing opportunities, catalyst for redevelopment, quality night time entertainment, and strong branding to attract the City's younger demographic. Mr. Morgan noted that approval of Resolution 12-08 would allow the City Manager to enter into agreement with Hartman/Alamo Drafthouse.

Mr. Dunn made a motion to approved Resolution 12-08; second by Mr. Omar and the motion was approved with a unanimous vote.

Consider cancellation of the Monday, May 28, 2012 City Council Meeting for the Memorial Day holiday.

Mr. Solomon made a motion to cancel the May 28, 2012 City Council Meeting; second by Mr. Hartley and the motion was approved with a unanimous vote.

Report on Items of Community Interest

Mayor Townsend announced that tonight was Mr. Keffler's last work session/last executive session and thanked him for his service.

Mr. Omar stated he was proud to lead the Wildflower Wild Ride/Wild Run efforts for the past two years and noted that they had record breaking participation this year, raising approximately \$170,000 to benefit the hospital.

Mr. Mitchell provided Councilmembers with a card from the Transportation Advocacy of Texas which stated "Texas is facing a transportation crisis". He noted that the matrix used to determine transportation needs is outdated and did not reflect current population and traffic volumes. Mr. Mitchell said every effort should be made to encourage legislators to seek more funding resources for transportation improvements.

Ms. Maczka stated that the 2012 Wildflower was an amazing experience, thanked the Parks Department, along with other City departments, for their hard work, and noted that Wildflower is Richardson at its best.

Mr. Hartley expressed his heart-felt thanks to the Seniors of Pearce High School for electing his son Davis as Mr. PHS and Class Favorite.

Mr. Solomon advised that funeral services for Ann Michelle King, daughter of Rev. Rusty King, would be held on Friday, May 25, at 2:00p.m. at First United Methodist Church and asked for prayers for the family.

Mayor Townsend recessed the Work Session at 7:35 p.m. and announced that Council would reconvene in Executive Session.

EXECUTIVE SESSION

- In compliance with Section 551.074 of the Texas Government Code, Council convened into a closed session at 7:40 p.m. to discuss the following:
 - Personnel
 - City Manager
- Council reconvened into open session at 8:30 p.m. to take action, if any, on matters discussed in executive session.

ACTION TAKEN: None.

There being no further business, Mayor Townsend adjourned the meeting at 8:30 p.m.


MAYOR

ATTEST:


DEPUTY CITY SECRETARY