

**MINUTES OF A MEETING OF THE CITY COUNCIL**  
**July 16, 2012**  
**City of Richardson, Texas**

A Meeting of the City Council was convened at 6:00 p.m., Monday, July 16, 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:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Vickie Schmid	Deputy City Secretary
Jerry Ortega	Director of Public Services
Travis Switzer	Assistant Director of Public Services
Steve Spanos	Director of Capital Projects
Jim Lockart	Assistant Director of Capital Projects
Michael Spicer	Director of Development Services
Monica Heid	Community Projects Manager

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**Call to order** – Mayor Townsend called the meeting to order at 6:04 p.m.

**Visitors**

Robert Dobrott, 1429 Lamp Post Lane, stated that he lives across the street from the Oxford House and that the boarding house had been remodeled to accommodate thirteen residents. Mr. Dobrott noted that the Texas Human Resource Code limits the number of residents to six and sets a one-half mile distance requirement between community homes. He felt it was time the code regarding these homes was enforced.

Anthony Torres, 1421 Lamp Post Lane, questioned why the City of Richardson had twelve Oxford House locations when the City of Garland only had one. He expressed concern for his children because a pedophile had lived in their neighborhood for three months before the neighborhood was alerted. Mr. Torres stated that the Oxford House in his neighborhood was designated for males only and advised that women and children had been seen there. Mr. Torres suggested that the Police Department conduct surprise visits of the facility to insure compliance with all regulations. He asked the Council to take steps to help his neighborhood.

Patti Stone, 1428 Lamp Post Lane, stated that she had witnessed females spending the weekend at the male designated home. She also noted that the Oxford House on Lamp Post

Lane consistently has more than six residents. Ms. Stone expressed her frustration while seeking help at City Hall and asked Council to take charge of the situation. She stated she would like the Oxford House in her neighborhood closed.

Mr. Johnson confirmed that staff had met with the City Attorney and all applicable case law, federal and state regulations, and City Code are being reviewed regarding group homes. He advised that once the review is complete Council would receive a briefing regarding suggested Code changes or enforcement measures available to the City under the law. Mr. Johnson assured Council he was aware of Ms. Stone's concerns and that the situation was being addressed.

### **Review and Discuss the Street Maintenance Program Review**

Mr. Johnson stated that the City designed one cent of the property tax to be devoted annually to street repair and maintenance several years ago and that sustaining the Penny Tax Program is included in the 2012-2013 proposed budget. He advised that Richardson is one of the few cities to make such a formal designation, establishing a specific street maintenance fund to help achieve the annual work plan. Mr. Johnson asked Cliff Miller to review the Work Plan and methodology of the Street Maintenance Program.

Mr. Miller stated that components of the Street Maintenance Program are provided through various funding sources including the General Fund, Utility Repair Fund, Bond Program Funding, and Penny Tax Program. He reported that the City infrastructure consists of 1,063 lane miles of streets, 330 miles of storm sewers, 9,498 storm inlets, and 221 miles of alleys and that 80% of all residential City streets were over 20 years of age. Mr. Miller reviewed the criteria considered when determining the method of street repair (asphalt or concrete) including days to install, longevity of repair, logistics, and application (incremental repair or long term repair). He explained that asphalt repairs are sometimes made to concrete streets if additional projects were planned in that same area in the next year, consolidating projects as a cost saving measure.

Mr. Miller identified areas related to Street Maintenance that are the responsibility of the Public Services Department as follows:

- Storm Maintenance (Concrete Repairs, Asphalt Repairs and Patches, Crack Sealing, "Street Leveling" or Grade Restoration, and Smaller Reconstruction/ Neighborhood Rehabilitation)
- Storm Sewer Cleaning/Repair
- Inclement Weather Response
- Other Repairs (Sidewalks, Wheelchair Ramps, and Screening Walls)

Mr. Miller noted that the Capital Projects Department was responsible for Periodic Infrastructure Condition Assessment, Street and Alley Rehabilitation, Underground Utility Replacement, and Sidewalk Repair Programs. He noted that Public Services and Capital Projects work together on Construction/Rehabilitation projects such as water line and wastewater line replacement and extensive street maintenance needs.

Mr. Miller stated that, upon notification of a problem area in need of repair, the Streets Supervisor investigates the area to determine if the need is immediate or non-immediate. If immediate action is required, the site is barricaded (if needed), asphalt is ordered and a patch

made that day, and research begins to coordinate and schedule the permanent repair. If non-immediate action is required, the site is barricaded (if needed) and research begins to coordinate and scheduled permanent repair. He noted that three factors determine the type of repair: (1) street rating, (2) other projects planned in the repair area, and (3) other unique considerations (i.e. repair location and extensiveness of repair). Higher Pavement Condition Index projects are typically planned for concrete repair, while Lower Pavement Condition Index projects are sustained with asphalt until some future reconstruction project may occur in the same area. Mr. Miller noted that if a project is planned to begin in less than a year, repairs in the same area would typically be sustained with asphalt; if the project is planned further out than a year, repairs are done with concrete.

Mr. Miller stated that historically, Penny Tax projects are street/alley/sidewalk repairs, crack sealing, street leveling/grade restoration, asphalt overlays, intersection improvements, turn lanes, bridge repair, railroad crossing repair/replacement, and screening wall repair. Mr. Miller reviewed the various Penny Tax projects undertaken in the past five years and noted that upcoming projects would be prioritized for the 2012-2013 budget year.

Mr. Dunn advised staff of poor asphalt conditions along Mimosa and asked that staff evaluate the area for repair. Mr. Mitchell stated that although the asphalt patches are being made, some streets have had asphalt patches for years and were not on any project list for permanent concrete repair. Mr. Mitchell questioned the cost effectiveness of repeatedly repairing streets with asphalt patches instead of making a concrete patch. Mr. Johnson noted that many times patching with concrete required removing/replacing an entire street section and that type of repair is often consolidated with other street, water line, or bond project repairs. Mayor Townsend concurred with Mr. Mitchell, stating that concrete repairs were not being done in several areas and asked if there was a tracking mechanism in place for scheduling the concrete repairs. In response to Mr. Omar's question regarding pothole repair, Mr. Miller noted that potholes were often considered an immediate repair and were typically repaired with asphalt to maintain safe street conditions until a permanent concrete fix could be scheduled. Ms. Maczka stated that some of her neighborhood streets had been repeatedly repaired, but had not been permanently repaired for the past 15 years. Mr. Solomon suggested using the Streets Database to track when changes are being made and when permanent repairs should be occurring. Mr. Miller stated that he would address the issues identified by Council and come back with a recommendation regarding changes to the street repair policy.

### **Review and Discuss the Drainage Utility Fund Summary and Work Plan**

Mr. Johnson stated that State law provides for establishing a Drainage Utility Fee which was ratified by Council last fall and implemented mid-year 2012. He noted that the 2012-2013 Fiscal Year would be the first full year the Drainage Utility Fee had been collected. Mr. Johnson said the Drainage Utility Fee fund summary would be reviewed during budget discussions to determine which improvement projects can be funded by the Drainage Utility Fee. He asked Jim Lockart to brief the Council.

Mr. Lockart stated that the City has an extensive system of drainage channels, open channels, pipes and inlets designed to effectively move water toward fourteen drainage basins throughout the City and the purpose of the Drainage Utility Fund is to provide funding for repairs to this aging system. In 2007, the City was required by the EPA and TCEQ to develop a Storm Water Management Plan and advised that the City's 5-year Permit period was about to expire. He said renewal of the permit would require repairs and upgrades that may result in additional costs to the City in order to qualify for a new TCEQ permit. The old permit will remain in effect until

the new permit is approved. Mr. Lockart stated that the tasks identified by TCEQ necessary to issue a new permit would be phased in over the 5-year period covered by the new permit. Requirements of the current permit include public outreach, public involvement, illicit drainage detection, pollution prevention, construction site runoff, post construction improvements, and authorization for municipal construction activities. He stated that staff implements and documents best management practices outlined in the Storm Water Management Plan which are reported annually to TCEQ.

Mr. Lockart stated that the Drainage Utility Fee was adopted by ordinance in November 2011, establishing a base rate of \$3.75 per household/per month and 10.5 cents per 100 square feet of impervious area for commercial customers. Public outreach information regarding adoption of the fee and the anticipated start date for collection of the fee was made available on the City's website, through bill stuffers, as well as letters to key water customers. Billing of the Drainage Utility Fee began in February 2012.

Mr. Lockart stated that the residential fee of \$3.75 per household generated from 27,040 active utility accounts generated \$101,000 per month for the Drainage Utility Fund and the tiered commercial fee for 1,149 commercial accounts generated \$123,000 per month (churches, schools, and State properties are exempt from the fee). The total amount for the partial year was approximately \$1.67 million. Mr. Lockart detailed the breakdown of the 2011-2012 Start Up Year Work funded from partial year revenues as follows:

\$845,000	Department Expenses
\$ 65,000	City Sweeping Operations
\$240,000	Street Sweeping Contract
\$350,000	PayGo Capital
\$160,000	Contract Services

He said the first full year is estimated to generate \$2.7 million, allowing the City to move forward with more drainage projects and freeing up funds for projects in other areas. Drainage Utility Funds have been identified for Operating Expenditures in the amount of \$390,000; Capital Projects - \$1,385,000; and G&A Transfer - \$910,000 for Fiscal Year 2012-2013.

Mr. Lockart stated that the first projects funded through the Drainage Utility Fee would be the West Fork Debris Removal and Vegetation Management Project and the Dumont Culvert Construction at Hunt Branch. He noted that a meeting with homeowners would take place on Thursday, July 19, detailing the tree removal and debris clean-up plan. He said cooperation from residents is imperative to allow contractors access to the channel.

Mr. Lockart indicated that PayGo projects in the half-million dollar range would be considered for funding from the Drainage Utility Fee. He noted that water quality assessments and management activities required under new TCEQ permit regulations could be funded from the Drainage Utility Fee as well. Mr. Lockart stated that the Work Plan would be reviewed and updated with Council on an annual basis.

In response to Mr. Solomon's question, Mr. Lockart stated that medium to small projects would best fit the funding parameters of the Drainage Utility Fee, which would free up money in other funds that could be utilized for larger projects. Mr. Johnson stated that project coordination and creative thinking would allow for the proper sequencing and grouping of projects. Mr. Johnson advised that the Drainage Fee would also allow the City to undertake projects that did not make the 2010 Bond Project list, but could be easily managed by the Drainage Fee.

**Review and Discuss the First Community Meeting of the Main Street/Central Expressway Enhancement/Redevelopment Study**

Mr. Johnson stated that last week the public input session for the Main Street/Central Study got underway, identifying a vision for the area and economic development planning processes for the future. He stated that the information was well received and the meeting was well attended. Mr. Johnson asked Monica Heid to summarize the findings.

Ms. Heid stated that the Main Street/Central Expressway Study combined two of six areas identified by Council for potential reinvestment/redevelopment. She stated that staff and the consultant team had worked together on tasks designed to create a vision for the area and an implementation plan. Ms. Heid stated that the Open House was the first in a series of public meetings, which would culminate in a final report to be presented to Council in December.

Ms. Heid stated that redevelopment in the Main/Central area would likely take 20+ years to implement due to the number of individual property owners and the amount of work involved in acquiring a meaningful amount of land. She noted that redevelopment would take place at the initiative of private property owners.

Ms. Heid stated that the marketing consultant focused on various conditions in the Main/Central area, including property valuations, ownership issues, flood plain issues, and property utilization issues, which allows for the identification of properties with short term potential for redevelopment. She explained that property utilization issues indicate that an area is ripe for development when the value of improvements is substantially lower than that of the property, indicating that the property is underutilized.

Ms. Heid stated that three additional major public meetings are planning for the Main/Central Study area in September and November and the final report and recommendations will be presented to Council in December 2012. She said there are multiple outreach efforts calling for citizen input in addition to the public meetings, including a Main/Central email address, web page, Facebook page, Richardson Today article, Week In Review articles, and Dallas Morning News article; all encouraging the public to share their thoughts, ideas, and dreams for the area. People invited to the Open House included property owners, business owners, residents, Homeowners/Neighborhood Associations, stakeholders, churches, schools and financial institutions. Ms. Heid stated that the Open House featured time for receiving input, a presentation, followed by a second input session and keypad polling exercise. Input generated by the discussions, presentation, and polling exercise revealed that citizens felt it was important to keep Richardson's downtown area as a focal point. She noted that some of the features identified as important to the Open House participants were establishing a mix of uses, creating a gateway, attracting pedestrians, attracting new businesses – especially new restaurants, parks/plazas, sustainable development, access to DART, and the need for private investors.

In response to questions from Council, Ms. Heid confirmed that staff had always thought of the Main Street/Central Study as two separate study areas with two unique sets of regulations – one for each area. Ms. Heid stated that the next step in the study process was a Charrette planned for September 19, as well as more detailed public input meetings. In response to Council's concern regarding the possible need for more time, Ms. Heid confirmed that the consultant was confident the final report could be done by December; she advised that the market study and visioning exercises were being done simultaneously with this study, shortening the time needed for completion. Ms. Heid advised that a two-year plan was initially

considered for the Main/Central Study; however, the consultant felt one year was sufficient. She confirmed that the deliverables would be the same (i.e. three private property catalyst projects, marketing element, implementation plan, and gap analysis). Ms. Heid also advised that the zoning ordinance was not included in the process, but would most likely take six or more months to complete after the final report is received and evaluated.

**Report on Items of Community Interest**

Mr. Omar stated that he had made a presentation at the Stephanie Carter Future Leadership Program over the weekend and was highly impressed with the high-school and college-age young men and women who attended the program; he noted that Richardson has an incredibly talented group of young individuals in the City.

Mr. Solomon commended Fire Chief Palomba for the excellent Open House held at the new Station No. 4 facility Thursday evening. He felt the opening of this Station was a great accomplishment for the Fire Department, the City, and the community.

Ms. Maczka reported that the Regional Transportation Council (RTC) recently met and she expressed her excitement for the progress made on the Cotton Belt rail line; she stated that last Thursday RTC voted unanimously to approve an independent finance company to fund the implementation of the Cotton Belt. She stated that Council would review the proposal in the near future and that the Cotton Belt rail line was closer to being a reality than ever before.

In response to a question from Council, Mr. Johnson noted that the old Station No. 4 facility could possibly be utilized as a creative solution for storage of equipment as construction of the new Fire Training Center gets underway.

Mayor Townsend adjourned the Work Session at 8:34 p.m. and announced that Council would convene in Executive Session after a short break.

**EXECUTIVE SESSION**

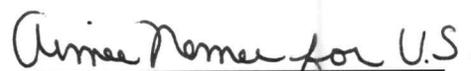
- In compliance with Section 551.072 of the Texas Government Code, Council convened into a closed session at 8:45 p.m. to discuss the following:
  - Deliberation Regarding Real Property
    - Property Considerations in the Arapaho Road/Custer Road 75 Area
- Council reconvened into open session at 9:17 p.m. to take action, if any, on matters discussed in executive session.

**ACTION TAKEN:** Mr. Solomon made a motion to accept staff's recommendation after review of multiple options to continue to hold the City property along Arapaho and Lorie and continue to conduct periodic tests of the market as development occurs in this area and authorize staff to install a simple landscape buffer for the homes on the north side of the alley; second by Mr. Dunn and the motion was approved with a unanimous vote.

There being no further business, Mayor Townsend adjourned the meeting at 9:18 p.m.

  
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MAYOR

ATTEST:

  
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DEPUTY CITY SECRETARY