

RICHARDSON CITY COUNCIL
SEPTEMBER 27, 2010
7:30 P.M.
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX

1. **INVOCATION**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
 3. **MINUTES OF THE SEPTEMBER 13, 2010 MEETING**
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4. VISITORS.
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5. PUBLIC HEARING, ZONING FILE 10-13: A REQUEST BY PEGGY TSIANG CHERNG, CFT DEVELOPMENTS, LLC, REPRESENTING PANDA EXPRESS, FOR A SPECIAL PERMIT FOR A DRIVE-THRU RESTAURANT AT 501 S. PLANO ROAD (EAST SIDE OF PLANO ROAD, BETWEEN BELT LINE ROAD AND SPRING VALLEY ROAD). THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.

ACTION TAKEN:

6. VARIANCE 10-04: A REQUEST BY DAVID MARCINKOWSKI WITH MADERIA RESIDENTIAL, REPRESENTING BELLE GROVE APARTMENTS, LLC, FOR APPROVAL OF A VARIANCE FROM ARTICLE III, SECTION 21-54(a), SIDEWALKS, OF CHAPTER 21 OF THE CITY OF RICHARDSON CODE OF ORDINANCES FOR A SIDEWALK WAIVER. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CIVIC CENTER DRIVE AND BELLE GROVE DRIVE.

ACTION TAKEN:

7. VARIANCE 10-06: A REQUEST BY SARAH WILLIAMSON WITH KIMLEY-HORN, REPRESENTING UNIVERSITY VILLAGE, FOR APPROVAL OF A VARIANCE FROM ARTICLE III, SECTION 21-46(d), LOTS AND BLOCKS, OF CHAPTER 21 OF THE CITY OF RICHARDSON CODE OF ORDINANCES TO ALLOW FOR A FLAG LOT. THE PROPERTY IS LOCATED NORTH OF BELT LINE ROAD, ON THE EAST SIDE OF PLANO ROAD.

ACTION TAKEN:

8. CONTINUE PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE NO. 3785, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 2, ADMINISTRATION, BY AMENDING ARTICLE I TO ADD A CODE OF ETHICS FOR CITY OFFICIALS.

ACTION TAKEN:

ALL ITEMS LISTED UNDER ITEM 9 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

9. CONSENT AGENDA:

A. CONSIDER RECOMMENDATIONS FROM ARTS COMMISSION FOR FINANCIAL ASSISTANCE FROM THE HOTEL/MOTEL TAX FUND FOR THE FOLLOWING ORGANIZATIONS:

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| 1. AL-KHITAB CHRISTIAN COMPASSION MISSION | \$0 |
| 2. TEXAS BALLET THEATER SCHOOL, DALLAS | \$0 |
| 3. ARTS INCUBATOR OF RICHARDSON (AIR) | \$1,000 |
| 4. GREATER DALLAS YOUTH ORCHESTRA | \$1,000 |
| 5. NATIONAL ASSOCIATION OF COMPOSERS/USA-TEXAS CHAPTER | \$1,500 |
| 6. ROVER DRAMAWERKS | \$1,500 |
| 7. PLANO COMMUNITY BAND | \$2,000 |
| 8. DALLAS CHINESE COMMUNITY CENTER | \$3,500 |
| 9. PEGASUS THEATRE INCORPORATED | \$3,500 |
| 10. CONTEMPORARY CHORALE | \$3,800 |
| 11. TEXAS PERFORMING CHINESE ARTS ASSOCIATION | \$3,800 |
| 12. FRIENDS OF THE RICHARDSON PUBLIC LIBRARY | \$4,000 |
| 13. RICHARDSON READS ONE BOOK | \$5,000 |
| 14. CHAMBERLAIN PERFORMING ARTS | \$6,000 |
| 15. DALLAS ASIAN AMERICAN YOUTH ORCHESTRA | \$6,500 |
| 16. TEXAS WINDS MUSICAL OUTREACH | \$7,000 |
| 17. LONE STAR WIND ORCHESTRA | \$7,500 |
| 18. DALLAS REPERTOIRE BALLET | \$9,000 |
| 19. PLANO SYMPHONY ORCHESTRA | \$9,500 |
| 20. RICHARDSON CIVIC ART SOCIETY | \$10,500 |
| 21. TUZER BALLET | \$10,500 |
| 22. THE RICH-TONE CHORUS | \$12,500 |
| 23. RICHARDSON COMMUNITY BAND | \$15,500 |
| 24. CHAMBER MUSIC INTERNATIONAL | \$20,000 |
| 25. RICHARDSON THEATRE CENTRE | \$36,200 |
| 26. REPERTORY COMPANY THEATRE | \$43,700 |
| 27. RICHARDSON SYMPHONY | \$75,000 |

B. CONSIDER THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 3789, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 6, ARTICLE VIII, SUBDIVISION II "BUILDING AND STANDARDS COMMISSION" BY AMENDING SECTIONS 6-341 THROUGH 6-345 BY PROVIDING THE POWERS AND DUTIES OF THE BUILDING AND STANDARDS COMMISSION THAT ARE CONSISTENT WITH STATE LAW AND PROVIDING PROVISIONS REGARDING NOTICE OF HEARING BEFORE THE BUILDING AND STANDARDS COMMISSION.
2. ORDINANCE NO. 3790, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 6-366 REQUIRED PROPERTY STANDARDS TO ADD SUBSECTION (7) REGARDING WINDOW AND DOOR MAINTENANCE; BY AMENDING SECTION 6-367 REQUIRED PROPERTY STRUCTURAL STANDARDS TO ADD SUBSECTION (52) REGARDING MAINTENANCE OF EXTERIOR SURFACES.
3. ORDINANCE NO. 3791, AMENDING ARTICLE V, GRAFFITI, OF CHAPTER 14, NUISANCES, OF THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS BY REVISING SECTION 14-125, OWNER RESPONSIBILITY, AND SECTION 14-126, ASSESSMENT OF EXPENSES, LIENS.
4. ORDINANCE NO. 3792, APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC" OR "STEERING COMMITTEE") AND ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" OR "COMPANY") REGARDING THE COMPANY'S THIRD RATE REVIEW MECHANISM ("RRM") FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ATMOS MID-TEX'S PROOF OF REVENUES; EXTENDING THE RRM PROCESS FOR TWO CYCLES AND ADOPTING A NEW RRM TARIFF; RATIFYING THE SETTLEMENT AGREEMENT, INCLUDING COST RECOVERY FOR A STEEL SERVICE LINE REPLACEMENT PROGRAM; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL.

C. RECEIVE FROM THE CITY PLAN COMMISSION:

1. AMENDING PLAT OF LOTS 10A & 12A, CANTERA ADDITION.
2. REPLAT OF LOTS 3B AND 10, BLOCK 1 OF THE COLLINS TECHNOLOGY PARK ADDITION, BEING A REPLAT OF LOT 3A, BLOCK 1 OF THE COLLINS TECHNOLOGY PARK ADDITION.

D. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #51-10 – WE REQUEST AUTHORIZATION TO ISSUE ANNUAL REQUIREMENTS CONTRACTS TO RICHARDSON READY ELECTRIC, INC. AND BOYD ELECTRIC, LTD. FOR ELECTRICAL SERVICES PURSUANT TO HOURLY PRICES BID FOR ELECTRICIANS, ELECTRICIAN HELPERS, AND LADDER TRUCK RENTAL/OPERATORS.
2. BID #59-10 – WE REQUEST AUTHORIZATION TO ISSUE A CO-OP PURCHASE ORDER WITH RICHARDSON I.S.D. FOR THE MUNICIPAL COURT COMPUTER ROOM UNINTERRUPTABLE POWER SUPPLY REPLACEMENT TO LED ENTERPRISES, INC. IN THE AMOUNT OF \$43,911.50 AND TO RICHARDSON READY ELECTRIC IN THE AMOUNT OF \$7,275 FOR A TOTAL EXPENDITURE OF \$51,186.50.

3. BID #60-10 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO QWEST COMMUNICATIONS, INC., FOR THE INTERNET CIRCUIT AND ISP PROVIDER THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-SDD-833 FOR AN ANNUAL EXPENDITURE OF \$87,619.20 ANNUALLY OR \$7,301.60 MONTHLY.

- E. AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO PURCHASE ORDER #101178 TO HENCIE INTERNATIONAL, INC., FOR THE 2010 UTILITY PAVEMENT REPAIR CONTRACT IN THE AMOUNT OF \$40,000.

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, SEPTEMBER 27, 2010, IN THE RICHARDSON ROOM OF THE CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TEXAS. AS AUTHORIZED BY SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE, THIS MEETING MAY BE CONVENED INTO CLOSED EXECUTIVE SESSION FOR THE PURPOSE OF SEEKING CONFIDENTIAL LEGAL ADVICE FROM THE CITY ATTORNEY ON ANY AGENDA ITEM LISTED HEREIN. THIS BUILDING IS WHEELCHAIR ACCESSIBLE. ANY REQUESTS FOR SIGN INTERPRETIVE SERVICES MUST BE MADE 48 HOURS AHEAD OF THE MEETING. TO MAKE ARRANGEMENTS, CALL 972-744-4000 VIA TDD OR CALL 1-800-735-2989 TO REACH 972-744-4000.

WORK SESSION – 6:00 P.M.:

- Call to Order
- A. Review and Discuss Items Listed on the City Council Meeting Agenda
- B. Review and Discuss the 2010 Bond Program Online Project Tracking Feature
- C. Review and Discuss the Atmos Energy Rate Review Action and Settlement
- D. Report on Items of Community Interest

EXECUTIVE SESSION

- In compliance with Section 551.087 of the Texas Government Code, Council will convene into a closed session to discuss the following:
 - Deliberation Regarding Economic Development Negotiations
 - Commercial Development – Lookout Dr./Glenville Dr. Area
- Council will reconvene into open session, and take action, if any, on matters discussed in executive session.

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, SEPTEMBER 24, 2010, BY 5:00 P.M.

CITY SECRETARY