

**RICHARDSON CITY COUNCIL
MONDAY, AUGUST 28, 2023
COUNCIL MEETING AT 6:00 PM
RICHARDSON CITY HALL, 2360 CAMPBELL CREEK BLVD., SUITE 525, RICHARDSON, TX 75082**

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.

Attention: Meeting Attendance/Viewing

City Council meetings are available for viewing via live stream on-line and on-demand at www.cor.net/city. Cablecast viewing of City Council meetings for U-verse and Spectrum customers is temporarily unavailable due to a fire which damaged Richardson City Hall. Cablecast services will be restored as soon as possible. Videos of past Council meetings are also available to view on-demand at www.cor.net/city.

Anyone wishing to address the City Council can submit comments on any topic or agenda item electronically by utilizing the Public Comment Card found here: www.cor.net/PublicCommentForm, or in-person during the Visitors section or the Public Hearing item. Comments submitted online must be received by 5 p.m. on the date of the meeting to be included in the public record.

COUNCIL MEETING – 6:00 PM, MULTIPURPOSE ROOM #CH 157

• **CALL TO ORDER**

1. INVOCATION – JENNIFER JUSTICE

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – JENNIFER JUSTICE

3. MINUTES OF THE JULY 10, 2023, JULY 17, 2023, JULY 24-25, 2023 (BUDGET WORKSHOP), JULY 31, 2023, AUGUST 7, 2023, AUGUST 14, 2023, AND AUGUST 21, 2023 MEETINGS

4. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

Visitors may address the Council on any topic that is not already scheduled for Public Hearing. Speakers should complete a Public Comment Card and present it to the City Secretary before the meeting. Speakers are limited to 5 minutes. Comments should be directed to the Mayor and City Council. The Texas Open Meetings Act prohibits the City Council from discussing or taking action on items that are not posted on the agenda. The Mayor or City Manager may provide specific factual information, recite an existing policy, or schedule the item for discussion on a future agenda in response to the public comments.

PUBLIC HEARING ITEM:

5. PUBLIC HEARING ON THE FY 2023-2024 PROPOSED BUDGET.

Citizens wishing to address the City Council can submit comments electronically by 5:00 p.m. by utilizing the Public Comment Card found here: www.cor.net/PublicCommentForm.

BUDGET ACTION ITEMS:

6. CONSIDER ORDINANCE NO. 4468, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024.

7. CONSIDER ORDINANCE NO. 4469, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2023 (FISCAL YEAR 2023-2024) AT A RATE OF \$0.56095 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHARDSON AS OF JANUARY 1, 2023.

8. CONSIDER RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE ADOPTED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024.

9. BUDGET CONSENT AGENDA:

All items listed under the Budget 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. CONSIDER ADOPTION OF ORDINANCE NO. 4470, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING CHAPTER 23, "WATER, SEWERS AND SEWAGE DISPOSAL", BY AMENDING SECTION 23-98 TO ESTABLISH RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY; AND BY AMENDING SECTION 23-168 TO ESTABLISH RATES TO BE CHARGED FOR SEWER SERVICES FURNISHED BY THE CITY.

- B. CONSIDER THE FOLLOWING RESOLUTIONS:
 - 1. RESOLUTION NO. 23-20, ESTABLISHING REVISED FEES AND CHARGES FOR THE REMOVAL OF GARBAGE AND REFUSE WITHIN THE CITY.

 - 2. RESOLUTION NO. 23-21, PROVIDING AN AMENDED FEE SCHEDULE FOR BUILDING INSPECTION FEES AND PERMITS.

 - 3. RESOLUTION NO. 23-22, PROVIDING FOR THE REDEMPTION OF CERTAIN OUTSTANDING CITY TAX NOTES, TAXABLE SERIES 2021; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE REDEMPTION OF SUCH OBLIGATIONS.

ACTION ITEMS:

- 10. VARIANCE NO. 23-01, A REQUEST FOR A VARIANCE TO APPENDIX A (COMPREHENSIVE ZONING ORDINANCE) OF THE CITY OF RICHARDSON'S CODE OF ORDINANCES: ARTICLE XXII-C, SEC. 22(a) TO WAIVE THE REQUIREMENT TO SCREEN PARKING AREAS FOR RELIGIOUS INSTITUTIONS IN RESIDENTIAL DISTRICTS FROM THE VIEW OF ADJACENT SINGLE-FAMILY RESIDENTIAL DISTRICTS. THE PROPERTY IS LOCATED AT 1620 E. ARAPAHO ROAD, ON THE SOUTH SIDE OF ARAPAHO ROAD, EAST OF BELL MEADE DRIVE.

- 11. VARIANCE NO. 23-02, A REQUEST FOR A VARIANCE TO APPENDIX A (COMPREHENSIVE ZONING ORDINANCE) OF THE CITY OF RICHARDSON'S CODE OF ORDINANCES: ARTICLE XXII-D, SEC. 1(h)(1)(I)(2) TO ALLOW A 31-SPACE PARKING REDUCTION TO ACCOMMODATE AN 11,647-SQUARE FOOT RETAIL USE WITHIN AN APPROXIMATELY 63,000-SQUARE FOOT BUILDING. THE PROPERTY IS LOCATED AT 1300 E. BELT LINE ROAD, ON THE SOUTH SIDE OF BELT LINE ROAD, WEST OF PLANO ROAD.

12. 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. CONSIDER ADOPTION OF ORDINANCE NO. 4471, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, CHAPTER 13 "MISCELLANEOUS OFFENSES AND PROVISIONS" ARTICLE IV "OFFENSES INVOLVING PUBLIC MORALS" BY REPEALING SECTION 13-122 "CURFEW HOURS FOR MINORS".

- B. CONSIDER THE FOLLOWING RESOLUTIONS:
 - 1. RESOLUTION NO. 23-23, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE FURNISHING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY, BY AND BETWEEN THE STATE OF TEXAS, ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION ("STATE"), AND THE CITY OF RICHARDSON ("CITY"), FOR TRAFFIC SIGNAL REIMBURSEMENT ("PROJECT").

2. RESOLUTION NO. 23-24, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2023 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

3. RESOLUTION NO. 23-25, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC’S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

C. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #57-23 – WE RECOMMEND THE AWARD TO HORSESHOE CONSTRUCTION, INC. FOR FY23 SEWER PIPE REHABILITATION IN THE AMOUNT OF \$1,530,220.

2. BID #75-23 – WE RECOMMEND THE AWARD TO MUNIZ CONSTRUCTION, INC. FOR 2021 BOND ALLEY RECONSTRUCTION GROUP 1 IN THE AMOUNT OF \$1,785,635.

3. BID #77-23 – WE RECOMMEND THE AWARD TO CANDOR BUILDERS, LLC FOR 2021 BOND ALLEY RECONSTRUCTION GROUP 3 (CHAPEL CREEK CT. & CANYON CREEK DR.) IN THE AMOUNT OF \$418,959.

4. BID #86-23 – WE RECOMMEND THE AWARD TO DEAN CONSTRUCTION FOR COTTONWOOD PARK PEDESTRIAN BRIDGE IMPROVEMENTS IN THE AMOUNT OF \$410,917.

5. BID #89-23 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO CORE & MAIN, FERGUSON WATERWORKS, AND NORTH TEXAS WINWATER FOR WATER & WASTEWATER MATERIALS PURSUANT TO UNIT PRICES.

6. BID #105-23 – WE RECOMMEND THE AWARD TO DALTEX PRO FACILITY SERVICES, LLC FOR A COOPERATIVE CONTRACT FOR ABATEMENT SERVICES FOR 302 PITTMAN ST., THROUGH CITY OF PLANO BID #2023-0151-AC.

13. 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.

• **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE RICHARDSON CITY HALL ON FRIDAY, AUGUST 25, 2023, BY 5:00 P.M.

AIMEE NEMER, CITY SECRETARY

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING THE ADA COORDINATOR, VIA PHONE AT (972) 744-4168, VIA EMAIL AT ADACoordinator@cor.gov, OR BY APPOINTMENT AT 2360 CAMPBELL CREEK BLVD., SUITE 525, RICHARDSON, TEXAS 75082.

PURSUANT TO SECTION 46.03, PENAL CODE (PLACES WEAPONS PROHIBITED), A PERSON MAY NOT CARRY A FIREARM OR OTHER WEAPON ON THIS PROPERTY. *

FOR THE PURPOSE OF THIS NOTICE "PROPERTY" SHALL MEAN THE COUNCIL CHAMBERS OR ANY OTHER ROOM WHERE A MEETING SUBJECT TO AN OPEN MEETING UNDER GOVERNMENT CODE CHAPTER 551 OF THE RICHARDSON CITY COUNCIL IS HELD.

**This does not apply to licensed carriers.*

MINUTES
RICHARDSON CITY COUNCIL MEETING
JULY 10, 2023

- **Call to Order**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner, City Manager
Kent Pfeil, Chief Financial Officer
Charles Goff, Assistant City Manager
Michaela Dollar, Assistant City Manager
Aimee Nemer, City Secretary
Haley Alsabrook, Management Analyst
Riley Thomason, Management Analyst
Bill Alsup, Director of Health
Danea Newman, Environmental Health Supervisor
Gary Tittle, Chief of Police
Clifton Corley, Intelligence Sergeant
Mike Wiczorek, Media Relations Officer
Jim Dulac, Director of Engineering/Facilities
Nick Kohel, Assistant Director of Engineering
Ray Ginther, Assistant Director of Facilities
Keith Dagen, Director of Finance

Community Partners present:

Abbie Kauffman, President/CEO, Network of Community Ministries
Marta Gómez Frey, Chair, Network Board of Directors
Amanda Pels, Chief Strategy Officer, Network of Community Ministries

1. INVOCATION – CURTIS DORIAN

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – CURTIS DORIAN

3. MINUTES OF THE JUNE 12, 2023 AND JUNE 19, 2023 MEETINGS

Council Action

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

4. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

Prior to the public comments, City Manager Magner stated that the City of Richardson has not been contacted by the National Rifle Association (NRA), nor is the City working with any real estate professional for the relocation of the NRA within the city limits of Richardson. He further stated that a senior executive from State Farm confirmed that State Farm has long-term leases in place and is not actively marketing space for sublease in CityLine. Additionally, Mr. Magner stated that Andrew Alderman, NRA, confirmed that it is not accurate the NRA is relocating to Richardson.

Public Comment Cards Submitted Online		
	Name/Address	Topic
1.	Rev. Thomas Gibbons, 106 Hyde Park, Richardson (Compassionate DFW)	Oppose NRA Relocation (Spoke in person)
2.	Donna Flores, 1612 Montclair, Richardson	Oppose NRA Relocation
3.	Jaclyn Counts, 3306 Oakhurst, Dallas	Oppose NRA Relocation
4.	Jan McDowell, 2904 Panorama, Carrollton	Oppose NRA Relocation (Spoke in person)
5.	Arthur Cooper, 1804 Yale, Richardson	Oppose NRA Relocation (Spoke in person)
6.	Allison Drake, 6102 Shattuck, Garland	Oppose NRA Relocation
7.	Adam Polter, 4180 Creekhollow, Carrollton	Oppose NRA Relocation (Spoke in person)
8.	Carol Woodward, 1242 Pebble Beach, Lakehills	Support NRA Relocation
9.	Joan Boney, 3534 Chellen, Farmers Branch	Oppose NRA Relocation
10.	Andrea Reed, 125 Broken Oak, Liberty Hill	Support NRA Relocation
11.	Virginia LeBlanc, 2508 Springwood, Richardson	Economic Development (Spoke in person)
12.	Lisa Ventura, 1511 Crowley, Arlington	Support NRA Relocation (Spoke in person)
13.	Dawn Rose, 2082 Town Creek, Cibolo	Support NRA Relocation
14.	Geri Merrick, 3551 Wilshire Way, Richardson	Oppose NRA Relocation (Spoke in person)
15.	Carol Lafayette, 1920 Canterbury, Seagoville	Oppose NRA Relocation
16.	Pat Griffin, 441 Valley Glen, Richardson	Oppose NRA Relocation
17.	Blair Taylor, 7446 La Manga, Dallas (Moms Demand Action for Gun Sense in America)	Oppose NRA Relocation (Spoke in person)
18.	Dr. Brian Williams, PO Box 180725, Dallas	Opposed NRA Relocation (Spoke in person)
19.	Lauren Wert, 3338 Oakwell, San Antonio	Support NRA Relocation
20.	Jerah Hutchins, 925 S. Main, Grapevine	Support NRA Relocation (Spoke in person)
21.	Cassandra Hernandez, 4060 Spring Valley, Farmers Branch	Support NRA Relocation (Spoke in person)
22.	Ginny Laughlin, 804 Firestone, Richardson	Oppose NRA Relocation
23.	Andrew Cucci, 720 Telemark, Frisco	Support NRA Relocation
23.	Sandy Hanne, 637 W. Belt Line, Richardson	Massage Establishments (Spoke in person)
24.	Crystalyn Roberts, 1222 Spruce, Richardson	Oppose NRA Relocation (Spoke in person)
25.	Kat Vargas, 2309 Haystack, Plano (TX Chapter of Moms Demand Action)	Oppose NRA Relocation
26.	Kile Brown, 9611 Crestedge, Dallas	Oppose NRA Relocation (Spoke in person)
27.	Joanne Groshardt, 302 Trailridge, Richardson	Oppose NRA Relocation
28.	Anthony Conde, 8106 Champion, Rowlett (Dallas for Change)	Oppose NRA Relocation (Spoke in person)
29.	Sandi Edgar, 518 E. Tyler, Richardson	Oppose NRA Relocation
30.	Sarah Pack, 1711 Duke, Richardson	Oppose NRA Relocation (Spoke in person)
31.	Alison Adams, 11490 Schaefer, Schertz	Support NRA Relocation (Spoke in person)

Additional public comment cards were submitted by the following:

Rev. Cathy Sweeney, 1512 Cheyenne, opposed to NRA relocation
Mindy Ray, 8528 Horse Whisper, Fort Worth, in favor of NRA relocation
Cory Blake, 9317 Tower Ct., Crowley, in favor of NRA relocation
Shauna Feely, 1123 Greenway Dr., Richardson, opposed to NRA relocation
Kari Grayson, 2208 Harrison Ave., Fort Worth, in favor of NRA relocation – did not speak
Christine Milazzo, 505 Sheffield Dr., Richardson, opposed to NRA relocation – did not speak

PUBLIC HEARING ITEM:

5. PUBLIC HEARING, CONSIDER A SPECIAL PERMIT APPLICATION TO ALLOW A MOBILE FOOD VENDING TRAILER TO OPERATE AT 101 S. COIT RD., DAL-RICH TOWNE SQUARE SHOPPING CENTER, IN ACCORDANCE WITH ORDINANCE NO. 4329.

Public Hearing

After a briefing from staff and the applicant, Mayor Dubey opened the Public Hearing. With no public comments submitted, Councilmember Hutchenrider moved to close the Public Hearing, seconded by Mayor Pro Tem Shamsul and approved unanimously.

Council Action

Council discussed the location of the trailer, safety concerns, traffic flow, and the site plan. Councilmember Hutchenrider moved to continue the public hearing to a future date to allow the applicant to work with City staff to prepare a more developed and detailed plan. Councilmember Corcoran seconded the motion. A vote was taken and passed, 7-0.

6. REVIEW AND DISCUSS THE NETWORK OF COMMUNITY MINISTRIES

Abbie Kauffman, President/CEO, Network of Community Ministries, provided a summary of their services, highlights from fiscal year 2023, and priorities for fiscal year 2024 including an expansion of mental health services.

7. REVIEW AND DISCUSS THE COMMUNITY CRIME MAP

Chief Tittle provided a summary of a new community crime map application and reporting features that will be available to citizens beginning July 11, 2023.

8. REVIEW AND DISCUSS THE FY 2023-2024 STREETS AND ALLEYS MAINTENANCE STRATEGIES

Jim Dulac, Director of Engineering, reviewed this item.

- Streets
 - FY23 Annual Maintenance Program Plan Status
 - FY24 Annual Maintenance Program Plan
 - Capital Improvement Plan Update
- Alleys
 - FY23 & FY24 Annual Maintenance Program
 - Capital Improvement Plan Update
- Sidewalks
 - Sidewalk Capital Plan Status

9. REVIEW AND DISCUSS THE FY 2023-2024 FLEET OPERATIONS OVERVIEW

Keith Dagen, Director of Finance, reviewed this item.

- Fleet Operations
- Fleet Capital – Vehicles and Inflationary Pressure

10. REVIEW AND DISCUSS THE FY 2023-2024 FACILITIES SERVICES MAINTENANCE STRATEGIES

Jim Dulac, Director of Engineering, reviewed this item.

- Facilities Services Background and Budget Overview
- FY23 Annual Maintenance Program Plan Status
- FY24 Annual Maintenance Program Plan
- FY23/24 Capital Improvement Plan Status

ACTION ITEM:

11. CONSIDER ADOPTION OF ORDINANCE NO. 4467, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY GRANTING A CHANGE IN ZONING BY GRANTING A SPECIAL PERMIT FOR A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 1551 E. SPRING VALLEY ROAD, RICHARDSON, TEXAS, ZONED LR-M(2) LOCAL RETAIL.

Council Action

Councilmember Hutchenrider moved to approve the ordinance as presented. Councilmember Justice seconded the motion. A vote was taken and passed, 6-1 with Councilmember Barrios opposed.

12. CONSENT AGENDA:

A. CONSIDER AWARD OF THE FOLLOWING BIDS:

- 1. BID #56-23 – WE RECOMMEND THE AWARD TO 2L CONSTRUCTION, LLC FOR GLENNVILLE DRIVE PROPERTY ACTIVATION APOLLO ROAD PROPERTY PHASE IN THE AMOUNT OF \$1,866,142 WHICH INCLUDES ALTERNATE 1.**
- 2. BID #76-23 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT FOR INSTALLATION AND REMOVAL OF STREET BANNERS FOR AN ESTIMATED ANNUAL EXPENDITURE OF \$65,000.**
- 3. BID #99-23 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO DELL MARKETING, LP FOR A COOPERATIVE PURCHASE OF 34 DELL LAPTOPS AND 34 POWER CORDS THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION ("DIR") CONTRACT #DIR-TSO-3763 IN THE AMOUNT OF \$103,156.**

4. **BID #100-23 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE ANNUAL REQUIREMENTS CONTRACT TO TEXAS HIGHWAY PRODUCTS, LTD FOR TRAFFIC SIGNAL CONTROLLER HARDWARE PURSUANT TO UNIT PRICES SPECIFIED IN THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #703-23 FOR AN ESTIMATED ANNUAL EXPENDITURE OF \$60,000.**
5. **BID #101-23 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MAC HAIK DODGE FOR THE COOPERATIVE PURCHASE OF ONE (1) DODGE 4500 WITH FRAZER TYPE-1 14' MOBILE INTENSIVE CARE UNIT ("MICU") MODULE FOR FIRE DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS ("HGAC") CONTRACT #AM10-20 IN THE AMOUNT OF \$323,476.**
6. **BID #102-23 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MOTOROLA SOLUTIONS FOR THE COOPERATIVE PURCHASE OF P25 COMPLIANT RADIO SYSTEM UPGRADE WITH WARRANTY AND SUBSCRIPTION LICENSING THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS ("HGAC") CONTRACT #RA05-12 IN THE AMOUNT OF \$16,700,000.**
7. **BID #104-23 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO NETWORK CABLING SERVICES FOR THE COOPERATIVE PURCHASE OF INSTALLATION OF LOW VOLTAGE WIRING AND ACCESSORIES FOR TEMPORARY CITY HALL THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION ("DIR") CONTRACT #DIR-CPO-4782 IN THE AMOUNT OF \$137,581.46.**

Council Action

Councilmember Hutchenrider moved to approve the Consent Agenda as presented. Councilmember Corcoran seconded the motion. A vote was taken and passed, 7-0.

13. REPORT ON ITEMS OF COMMUNITY INTEREST

Council reported on items of community interest.

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 – W. Belt Line Rd./U.S. 75 Area

Council Action

Council convened in Executive Session at 10:34 p.m.

RECONVENE INTO REGULAR SESSION

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

Council Action

Council reconvened in regular session at 11:06 p.m. There was no action taken as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 11:07 p.m.

ATTEST:

MAYOR

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL MEETING
JULY 17, 2023

- **Call to Order**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Ken Hutchenrider	Councilmember

Absent:

Joe Corcoran	Councilmember
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The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Aimee Nemer	City Secretary
Haley Alsabrook	Management Analyst
Riley Thomason	Management Analyst
Keith Dagen	Director of Finance
Herman Chavez	Controller
Yvonne Falgout	Assistant Director of Parks and Recreation
Shohn Rodgers	Assistant Director of Parks and Recreation
Dan Steege	Chief Information Officer
Ed Snavely	Deputy Chief Information Officer
Jim Dulac	Director of Engineering
Nick Kohel	Assistant Director of Engineering

Consultants

Kevin Smith, Crowe LLP
Michelle Buss, Crowe LLP

WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM #1103

A. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

There were no public comments submitted.

B. REVIEW AND DISCUSS THE 2021-2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) PRESENTATION

Kevin Smith, Crowe LLP, provided a summary of the 2021-2022 annual audit stating that they issued an unmodified opinion, which is the highest level of assurance and is supported by:

- 1.) Financial Statements were prepared in accordance with generally accepted accounting principles; and
- 2.) Accurate recording of the books and records of the City

C. REVIEW AND DISCUSS NATIONAL PARKS AND RECREATION MONTH

Yvonne Falgout, Assistant Director of Parks and Recreation provided a summary of the Parks and Recreation Department responsibilities and reviewed activities to acknowledge Parks and Recreation Month.

D. REVIEW AND DISCUSS THE FY 2023-2024 PARK MAINTENANCE STRATEGIES

Shohn Rodgers, Assistant Director of Parks and Recreation, reviewed the park maintenance strategies.

- Parks Maintenance Division Snapshot
- Capital Asset Assessment Process
- Update on FY23 Parks Maintenance Fund Projects
- Look ahead to FY24 Parks Maintenance Fund Projects
- Outlook for FY25 Parks Maintenance Fund Projects

E. REVIEW AND DISCUSS THE INFORMATION TECHNOLOGY WORK PLAN

Dan Steege, Chief Information Officer, reviewed the Information Technology Work Plan.

- IT Department Overview
 - Guiding Principles
 - Core IT Components
- Current Activities
 - Funding Sources
 - General Government
 - FY 2022-2023 Initiatives
 - FY 2023-2024 Initiatives
 - Public Safety
 - FY 2022-2023 Initiatives
 - FY 2023-2024 Initiatives
- Legacy Systems
 - Background
 - Implementation Status
 - Funding

F. REVIEW AND DISCUSS THE FY 2023-2024 DRAINAGE UTILITY PROGRAM STRATEGIES

Jim Dulac, Director of Engineering, reviewed the Drainage Utility Program Strategies.

- Background
- Program Elements
- FY23 Work Plan Update
- FY24 Proposed Work Plan
- Funding Summary

G. REPORT ON ITEMS OF COMMUNITY INTEREST

Council reported on items of community interest.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:16 p.m.

ATTEST:

MAYOR

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL BUDGET WORKSHOP
JULY 24-25, 2023

• **Call to Order**

Mayor Dubey called the meeting to order at 6:00 p.m. with the following Council members present on both days:

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Aimee Nemer	City Secretary
Haley Alsabrook	Management Analyst (<i>absent on 7/25</i>)
Riley Thomason	Management Intern
Bob Clymire	Budget Officer
Cara Copley	Assistant Budget Officer
Keith Dagen	Finance Director

BUDGET WORKSHOP – MONDAY, JULY 24, 6:00 PM, MULTIPURPOSE ROOM

A. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

There were no public comments submitted.

B. REVIEW AND DISCUSS FISCAL YEAR 2023-2024 BUDGET FOR OPERATIONS, CAPITAL IMPROVEMENTS, AND DEBT SERVICE

City Manager Don Magner reviewed the following items.

- Overview of the Budget Process
- Workshop Goals
- Factors Impacting Budget Development
 - Local Impacts
- General Fund Highlights
- General Fund Focus Areas
- Organizational Changes
- Key Programs & Services Overview
- Overview of Operating Fund Budgets
 - General Fund
- Property Tax Considerations
- Capital And Debt Planning

- **RECESS**

Council took a brief recess from 8:20 to 8:30 p.m. during day 1 of the budget workshop. Mayor Dubey recessed the meeting at 9:06 p.m. and announced that it will reconvene on Tuesday, July 25 at 6:00 p.m.

RECONVENE BUDGET WORKSHOP – TUESDAY, JULY 25, 6:00 PM

Mayor Dubey reconvened the Budget Workshop at 6:00 p.m. with all Council and staff listed above present except as noted above.

B. CONTINUE TO REVIEW AND DISCUSS FISCAL YEAR 2023-2024 BUDGET FOR OPERATIONS, CAPITAL IMPROVEMENTS, AND DEBT SERVICE

- Review questions and answers from day 1 of the budget workshop
- Water and Sewer Fund, Solid Waste Fund, Golf Fund, Hotel/Motel Tax Fund
 - Fund Highlights
 - Overview of Operating Fund Budgets
- Recap of Fee Recommendations
- Tax Rate Considerations
- Next Steps
- Discussion and Additional Feedback

ADJOURNMENT

With no further business, the meeting was adjourned at 7:48 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL/CITY PLAN COMMISSION
JOINT WORK SESSION MEETING
JULY 31, 2023

- **Call to Order**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

City Plan Commission Chair Bryan Marsh called the meeting to order with the following Commissioners present:

Bryan Marsh	Chair
Ken Southard	Vice Chair
Gwen Walraven	Member
Joe Costantino	Member
Michael Keller	Member
Nate Roberts	Member
Byron Purdy	Alternate

The following Commissioners were absent:

Sebrena Bohnsack, Member
Gary Beach, Alternate

The following staff members were also present:

Don Magner	City Manager
Charles Goff	Assistant City Manager
Aimee Nemer	City Secretary
Sam Chavez	Director of Development Services
Chris Shacklett	Assistant Director of Development Services
Keith Krum	Planning Projects Manager

The following consultants were also present:

Mark Bowers, Kimley-Horn
Jessica Rossi, Kimley-Horn
Monica Heid, Prologue Planning Services

WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM #1103

A. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

Humberto Rodriguez, 501 Carleton Drive, addressed Council regarding energy-saving methods for the new city hall and library construction, specifically, using green rooftop infrastructure. Mr. Rodriguez provided handouts regarding the City of Chicago City Hall.

Pam Thompson, 911 Waterview Circle, addressed Council regarding the comprehensive plan update feedback and would like to hear more about bike lanes, the plan for more trees, reduced parking, and protecting small, locally owned properties in future briefings.

B. REVIEW AND DISCUSS THE ENVISION RICHARDSON COMPREHENSIVE PLAN UPDATE AND COMMUNITY SUMMIT ONE

- Project Process and Schedule
- Responses to Council Questions
- Summary of Public Engagement Activities & Participation
- Preliminary Vision Concepts
 - Key Concepts/Themes from the Community
 - Preliminary Feedback/Discussion
- Preliminary Strategic Issues Identified to Date
 - Overview
 - Issues by Topic
 - Preliminary Feedback/Discussion
- Preliminary Reinvestment Areas
 - Overview/Community Feedback
 - Ripeness for Reinvestment Attributes Considered
 - Scoring Criteria
 - Discussion (Preferred Areas for Visioning)
- Wrap-Up / Next Steps

C. ADJOURNMENT OF CITY PLAN COMMISSION PORTION OF THE JOINT MEETING

Commission Action

Chair Marsh adjourned the City Plan Commission meeting at 9:14 p.m.

Note: City Council Items D-G were handled as the Consent Agenda with one motion.

D. CONSIDER RESOLUTION NO. 23-18, APPROVING THE TERMS AND CONDITIONS OF A FIRST AMENDMENT TO THE PROJECT SPECIFIC AGREEMENT RE: ARAPAHO ROAD, “TYPE B” ROAD MADE PURSUANT TO MASTER ROAD & BRIDGE INTERLOCAL MAINTENANCE AGREEMENT, BETWEEN DALLAS COUNTY, TEXAS, AND THE CITY OF RICHARDSON, TEXAS, FOR THE PURPOSE OF TRANSPORTATION RELATED MAINTENANCE, REPAIRS, AND IMPROVEMENTS TO BE UNDERTAKEN ON

PUBLIC ROADWAY WITHIN THE TERRITORIAL LIMITS AND JURISDICTION OF THE CITY OF RICHARDSON, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.

E. CONSIDER AWARD OF THE FOLLOWING BIDS:

- 1. BID #74-23 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO ENVIROTEK USA FOR GRAFFITI REMOVAL AND WALL WASHING/PAINTING PURSUANT TO UNIT PRICES.**
- 2. BID #106-23 – WE RECOMMEND THE AWARD TO CANON SOLUTIONS AMERICA FOR THE COOPERATIVE LEASE OF BLACK/WHITE AND COLOR COPIERS FOR A 60-MONTH PERIOD THROUGH OMNIA PARTNERS CONTRACT #FI-R0251-18 IN THE AMOUNT OF \$42,587.88 ANNUALLY.**
- 3. BID #107-23 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE PURCHASE ORDER TO ENTECH SALES AND SERVICE TO INSTALL ACCESS CONTROLS FOR THE TEMPORARY CITY HALL AND LIBRARY RELOCATION PROJECT THROUGH BUYBOARD CONTRACT #654-21 IN THE AMOUNT OF \$78,794.00.**
- 4. BID #108-23 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO PROFESSIONAL TURF PRODUCTS FOR THE COOPERATIVE PURCHASE AND INSTALLATION OF REPLACEMENT PUMP HOUSE EQUIPMENT FOR SHERRILL PARK GOLF COURSE PURSUANT TO THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (“BUYBOARD”) CONTRACT #705-23 IN THE AMOUNT OF \$223,505.00.**

F. CONSIDER AWARD OF REQUEST FOR PROPOSALS (“RFP”) #706-23 – WE RECOMMEND THE AWARD TO AT&T FOR THE UPGRADE OF 911 NETWORK TO NG9-1-1 ESINET IN THE AMOUNT OF \$2,982,475.

G. AUTHORIZE THE FOLLOWING CHANGE ORDERS:

- 1. TO DECREASE CONTRACT #321000376 WITH ADVANCE CONTRACTING FOR THE CANYON CREEK ALLEY RECONSTRUCTION (ALLEYS A-E) IN THE AMOUNT OF \$117,088.88.**
- 2. TO INCREASE CONTRACT #323000417 WITH CORE CONSTRUCTION FOR THE TEMPORARY CITY HALL AND LIBRARY RELOCATION TENANT IMPROVEMENT PROJECT IN THE AMOUNT OF \$177,006.**

Council Action

Councilmember Justice moved to approve the Consent Agenda; Items D-G, as presented. Councilmember Hutchenrider seconded the motion. A vote was taken and passed, 7-0.

H. REPORT ON ITEMS OF COMMUNITY INTEREST

Council reported on items of community interest.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:24 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL WORK SESSION MEETING
AUGUST 7, 2023

- **Call to Order**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Aimee Nemer	City Secretary
Haley Alsabrook	Management Analyst
Riley Thomason	Management Analyst
Yvonne Falgout	Director of Parks & Recreation
Chris Cottone	Superintendent of Athletics & Aquatics
Jon Winters	Corporate Recreation Manager
Todd Gastorf	Assistant Finance Director

Community Partners present:

Jan Rugg, ATMOS Coordinating Manager of Public Affairs
Barry Young, ONCOR Area Manager

WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM #1103

A. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

City Manager Magner acknowledged a public comment card submitted by Michael Selman, 2101 Lucerne Cove, regarding global warming and a green policy for the design of the new city hall and library.

Laurie Garvie, 415 Valley Cove, representing the Richardson Symphony Orchestra, informed Council of a photo contest being conducted in coordination with the American Landscapes concert on November 4, 2023.

B. REVIEW AND DISCUSS THE 2023 CORPORATE CHALLENGE

Jon Winters, Corporate Recreation Manager, provided an update for Council on this item.

- Program Background and Awards
- Celebrating 25 Years

- This Year's Companies and Venues
- Special Olympics Texas
- Opening Ceremony
- City of Richardson Team
- Corporate Recreation

C. REVIEW AND DISCUSS THE ATMOS ENERGY 2023 RATE REVIEW MECHANISM FILING, THE ATMOS FRANCHISE AGREEMENT AND THE 2023 ONCOR DENIAL RESOLUTION FOR RATE FILING

Todd Gastorf, Assistant Director of Finance, provided a summary of this item.

- Background on Gas and Electric Franchise Rate Requests
- Atmos
 - 2023 Rate Request, Review, and Recommendation
 - Staff recommends City Council adoption of the settlement rates effective October 1, 2023
 - Authorizing resolution will be placed on the August 28, 2023, agenda for City Council consideration
- Atmos Franchise Agreement
 - The existing franchise agreement between the City of Richardson and Atmos was approved on June 14, 2004, as Ordinance No. 3462 Agreement expires on December 31, 2023
 - City Attorney's office is working with Lloyd Gosselink Rochelle & Townsend, P.C. representing the City to negotiate a new franchise agreement
- Oncor
 - 2023 Rate Request, Review, and Recommendation
 - Staff recommends denying Oncor's request for increased rates by resolution on August 28, 2023
 - The resolution authorizes the OCSC attorneys and its consultants to review the filing, negotiate with Oncor, and make recommendations regarding reasonable rates

ACTION ITEMS:

D. CONSIDER SETTING A PUBLIC HEARING ON AUGUST 21, 2023, ON THE PROPOSED TAX RATE FOR FISCAL YEAR 2023-2024.

Staff Summary

City Manager Magner provided a summary of this item and staff recommendation. Mr. Magner explained the certified tax roll, tax rate overview, and use of the FY20-21 increment.

Proposed FY23-24 Property Tax Rate of \$0.56095, utilizing \$0.01858 of the FY20-21 increment, allows for the following:

- Makes up for lower than expected property tax revenue due to an unusually large number of commercial properties litigating their values with DCAD
 - \$1,144,210 needed to maintain same funding levels shown during the budget workshop
- Increases merit-based market increases from 5% to 6%
- Increases longevity pay from \$6 to \$8

- Increases Street Rehabilitation funding by an additional \$925,407 – 19% increase
 - Increases Facility Maintenance funding by an additional \$116,101 – 24% increase
 - Increases Park Maintenance funding by an additional \$116,101 – 24% increase
 - Increases Equipment Replacement by an additional \$167,445 – 3% increase
- Set a public hearing on August 21, 2023, for a proposed Property Tax Rate of \$0.56095 per \$100 valuation for Fiscal Year 2023-2024
 - Maintains current tax rate
 - Utilizes \$.01858 of the unused increment to allow for enhanced staff recruitment and retention funding and additional infrastructure investments

Council Action

Councilmember Hutchenrider moved to set a Public Hearing date of August 21, 2023, for the Proposed Tax Rate of \$0.56095 per \$100 valuation for Fiscal Year 2023-2024. Councilmember Barrios seconded the motion. A vote was taken and passed unanimously with Mayor Dubey, Mayor Pro Tem Shamsul, Councilmember Dorian, Councilmember Justice, Councilmember Barrios, Councilmember Corcoran, and Councilmember Hutchenrider voting in favor.

E. CONSIDER SETTING A PUBLIC HEARING ON AUGUST 28, 2023, FOR THE PROPOSED FISCAL YEAR 2023-2024 RICHARDSON MUNICIPAL BUDGET.

Council Action

Councilmember moved to set a Public Hearing date of August 28, 2023, for the Proposed Budget for Fiscal Year 2023-2024. Councilmember seconded the motion. A vote was taken and passed unanimously.

F. CONSIDER RESOLUTION NO. 23-19, DESIGNATING A TEMPORARY LOCATION AS THE OFFICIAL CITY HALL UNTIL THE CONSTRUCTION OF A NEW CITY HALL IS COMPLETE AND OCCUPIED.

Council Action

Councilmember Justice moved to approve Resolution 23-19 as presented. Councilmember Corcoran seconded the motion. A vote was taken and passed unanimously.

G. REPORT ON ITEMS OF COMMUNITY INTEREST

Council reported on items of community interest.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:10 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL WORK SESSION MEETING
AUGUST 14, 2023

• **Call to Order**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Aimee Nemer	City Secretary
Haley Alsabrook	Management Analyst
Bob Clymire	Budget Officer
Cara Copley	Assistant Budget Officer
Keith Dagen	Finance Director

WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM #1103

A. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

City Manager Don Magner acknowledged public comment cards submitted by the following:

- Suzy Williams, 1402 Forsythe Dr., regarding taxes and senior citizens struggling with inflation
- Kellye McGarry, 1911 N. Waterview Dr., regarding the 2023-2024 budget

B. REVIEW AND DISCUSS THE CITY MANAGER’S PROPOSED BUDGET FOR FISCAL YEAR 2023-2024

City Manager Don Magner presented the proposed budget for Council.

- Factors Impacting Budget Development
- Key Budget Focus Areas
 - Employee Recruitment and Retention
 - Public Safety
 - Infrastructure
- General Fund Highlights
 - Property Tax Rate Recommendation
- Other Fund Highlights
- Capital and Debt Planning
- Total Operating Budget

C. REPORT ON ITEMS OF COMMUNITY INTEREST

Council reported on items of community interest.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:48 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL WORK SESSION MEETING
AUGUST 21, 2023

• **Call to Order**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Aimee Nemer	City Secretary
Haley Alsabrook	Management Analyst
Keith Dagen	Finance Director
Bob Clymire	Budget Officer
Jim Dulac	Capital Projects/Engineering Director
Brent Tignor	Building Official

Consultants Present:

Sadhana Penharkar, Senior Project Manager, AECOM
David Chase, Architexas
Ann Stimmel, Architexas

WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM #CH 157

A. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS

There were not public comment cards submitted.

PUBLIC HEARING ITEM:

B. PUBLIC HEARING FOR PROPOSED TAX RATE OF \$0.56095 PER \$100 VALUATION FOR FISCAL YEAR 2023-2024.

Don Magner, City Manager, acknowledged the following public comments submitted regarding the tax rate.

- Kellye Pritchard McGarry, 1911 N. Waterview Dr. – regarding tax rate; consider solar panel and other tax rebates
- Kevin McConaghy, via email, opposed to tax increase despite the proposed rate is not changing

The following comments were submitted on the Collin and Dallas County Tax Transparency Websites:

- Lisa Fortenberry, 4415 Laney Ct. (Collin Co.) Vote – Yes
- Nicholas Weidenkopf, 528 Tiffany Tr. (Dallas Co.) Vote – No
- Maribel Turciosgaray, 1253 Delmont (Dallas Co.) Vote - No
- Venkata Atluri, 714 N Plano Rd. (Dallas Co.) Vote - No
- Theresa Jones, 1913 Campbell Ct. (Dallas Co.) Vote - Yes
- Luisa Mendoza, 333 Melrose Dr. (Dallas Co.) Vote - No
- Kerry Grubb, 506 S. Grove Rd. (Dallas Co.) Vote - No
- Brian Weller, 514 Malden Dr. (Dallas Co.) Vote - Yes

Mr. Magner provided a summary of the proposed fiscal year 2023-2024 budget and tax rate.

- Budget Development Process and Schedule
- Factors Impacting Budget Development
- FY 23-24 Key Budget Focus Areas
 - Recruitment and Retention
 - Public Safety
 - Infrastructure
- General Fund Highlights
 - Revenue
 - Certified Tax Roll
 - Tax Rate Overview
 - FY 20-21 Increment and FY 23-24 Proposed Tax Rate
 - Expenditures
- Other Operating Fund Highlights
- Capital and Debt Planning
- Total Proposed Budget
- Typical Taxpayer Impact Statement

Public Hearing

Following the presentation, Mayor Dubey opened the Public Hearing. With no public comments submitted, Mayor Dubey closed the Public Hearing with a motion by Councilmember Hutchenrider, second by Councilmember Justice, and approved unanimously.

Mayor Dubey announced that a public hearing on the proposed budget will be held on August 28, 2023, at 6:00 p.m. at the new temporary City Hall located at 2360 Campbell Creek Blvd.

ACTION ITEM:

C. RECEIVE THE AUGUST 9, 2023 SIGN CONTROL BOARD MINUTES AND CONSIDER FINAL APPROVAL OF SCB CASE #23-01, ARAPAHO CENTRAL PARK.

Staff Comments

Brent Tignor, Building Official, provided a summary of this item.

Requested Variance at Arapaho Central Park, 1002 N. Central Expy.

- Allow for a 147 sf, 30-foot tall, multi-tenant pole sign (Maximum allowed is 80 sf and 20 feet in height)
- Allow for a multi-tenant pole sign on a site less than 10 acres (Sites less than 10 acres are limited to a single-use pole sign)

Council Action

Councilmember Hutchenrider moved to approve the Sign Control Board Minutes and Sign Control Board Case #23-01. Councilmember Corcoran seconded the motion. A vote was taken and passed, 7-0.

D. REVIEW AND DISCUSS THE DRAFT CONCEPTS FOR THE NEW CITY HALL AND MUNICIPAL CAMPUS

Staff Comments

Jim Dulac, Director of Capital Projects and Engineering, reviewed the process of community engagement and the feedback received.

Ann Stimmel, Architexas, reviewed the proposed guiding principles, design considerations, the project budget, and two proposed design options.

Council Comments

A consensus of Council was in favor of Option A that was presented. Concerns were mentioned about the safety of the drive from Arapaho and parking. City Manager Magner informed Council that staff would bring back some considerations that will address the concerns mentioned.

E. REPORT ON ITEMS OF COMMUNITY INTEREST

Council reported on items of community interest.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:35 p.m.

MAYOR

ATTEST:

CITY SECRETARY

**City Council Worksession
Agenda Item Summary**

Worksession Meeting Date: Monday, August 28, 2023

Agenda Item: Public Hearing on the FY 2023-2024 Proposed Budget

Staff Resource: Don Magner, City Manager

Summary: After a brief presentation by the City Manager, the City Council will hold a public hearing on the FY 2023-2024 Budget proposal in preparation for formal adoption on August 28, 2023.

City Council Strategic Goals: This agenda item helps further the following City Council Strategic Goals:

- Attract, develop, and retain high-quality, innovative employees
- Maintain strong fund balance and bond rating
- Value, protect, and create a positive return on City, resident, and other stakeholder investments in the City

Background Information: On July 24 and 25, 2023, the Richardson City Council held a Budget Workshop at which City Staff provided the City Council with a status report on the current 2022-2023 revenues and expenditures and reviewed the City Council preliminary revenue and expenditure projections for the 2023-2024 Fiscal Year.

The City Manager filed a Proposed Budget for the Fiscal Year 2023-2024 on Friday, August 11, 2023, in accordance with the City Charter and State Law.

ORDINANCE NO. 4468

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; 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, 2023 and ending September 30, 2024; 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 \$399,004,296, providing a complete financial plan for the fiscal year beginning October 1, 2023 and ending September 30, 2024, 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, 2023 and ending September 30, 2024.

SECTION 2. That the sum of \$399,004,296 is hereby appropriated for the payment of the expenditures established in the approved budget for the fiscal year beginning October 1, 2023 and ending September 30, 2024.

SECTION 3. That the expenditures during the fiscal year beginning October 1, 2023 and ending September 30, 2024 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 2022-2023 are hereby ratified, and the budget Ordinance for fiscal year 2022-2023, 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 take and/or make the following actions:

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.
3. Negotiate and execute the necessary contracts and related instruments, including any amendments thereto for the projects set forth in the Capital Projects Program included within the proposed budget.

SECTION 6. That all notices and public hearings required by law have been duly completed.

SECTION 7. 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 8. 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 9. 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 28th day of August 2023.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

Peter G. Smith

CITY ATTORNEY
(PGS 8-12-23)

ORDINANCE NO. 4469

AN ORDINANCE OF THE CITY OF RICHARDSON LEVYING THE AD VALOREM TAXES FOR THE YEAR 2023 (FISCAL YEAR 2023-2024) AT A RATE OF \$0.56095 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHARDSON AS OF JANUARY 1, 2023, 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 2023 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 \$0.56095 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 \$0.34316 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 \$0.21779 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 9.42 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY (\$0.0).

SECTION 3. That all ad valorem taxes shall become due and payable on October 1, 2023, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2024. There shall be no discount for payment of taxes prior to February 1, 2024. 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, 2024, 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 2023 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 2023 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 2023 and taxes for all future years that remain delinquent on or after June 1 under Texas Property Tax Code Sections 26.075(j), 26.15(e), 31.03, 31.031, 31.032, 31,033, 31.04, or 42.42 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 28th day of August, 2023.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY

CORRECTLY ENROLLED:

CITY SECRETARY

City Council Worksession Agenda Item Summary

Worksession Meeting Date:	Monday, August 28, 2023
Agenda Item:	Consider Ratifying the Property Tax Increase Reflected in the Adopted Budget for the Fiscal Year beginning October 1, 2023 and ending September 30, 2024.
Staff Resource:	Don Magner, City Manager
Summary:	Consider Ratifying the Property Tax Increase Reflected in the Adopted Budget for the Fiscal Year Beginning October 1, 2023 and ending September 30, 2024.
City Council Strategic Goals:	<p>This agenda item helps further the following City Council Strategic Goals:</p> <ul style="list-style-type: none">• Attract, develop, and retain high-quality, innovative employees• Maintain strong fund balance and bond rating• Value, protect, and create a positive return on City, resident, and other stakeholder investments in the City
Background Information:	<p>On July 24 and 25, 2023, the Richardson City Council held a Budget Workshop at which City Staff provided the City Council with a status report on the current 2022-2023 revenues and expenditures and reviewed the City Council preliminary revenue and expenditure projections for the 2023-2024 Fiscal Year.</p> <p>The City Manager filed a Proposed Budget for the Fiscal Year 2023-2024 on Friday, August 11, 2023, in accordance with the City Charter and State Law. The Proposed Budget was presented in detail by the City Manager during an August 14, 2023 Work Session. A copy of the Proposed Budget and the Work Session presentation is available online.</p> <p>This particular action item is in response to requirements included in Section 102.007(c) of the Texas Local Government Code.</p>

ORDINANCE NO. 4470

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING CHAPTER 23, "WATER, SEWERS AND SEWAGE DISPOSAL", BY AMENDING SECTION 23-98 TO ESTABLISH RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY; AND 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 23-98 of the Code of Ordinances of the 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 all 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\$7.12
 - (b) 11,001 – 20,000 gallons, per 1,000 gallons.\$7.70
 - (c) 20,001 – 40,000 gallons, per 1,000 gallons.\$8.03
 - (d) 40,001 – 60,000 gallons, per 1,000 gallons.\$9.34
 - (e) All over 60,000 gallons, per 1,000 gallons.\$9.77
- (3) Apartments will be treated and billed as a commercial water account.
- (4) Municipal water rate (city usage), per 1,000 gallons.....\$3.69
- (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 Section 23-168 of the Code of Ordinances of the 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.....\$5.07
 - All over 11,000 gallons.....\$10.04
- 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\$3.69”

SECTION 3. 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 4. 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 5. That 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, 2023.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 28th day of August 2023.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

Peter G. Smith

CITY ATTORNEY
(PGS:8-12-23)

RESOLUTION NO. 23-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ESTABLISHING REVISED FEES AND CHARGES FOR THE REMOVAL OF GARBAGE AND REFUSE WITHIN THE CITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Richardson, Texas, provides that the City Council shall by resolution, establish fees and charges for the removal of garbage and refuse within the City, and

WHEREAS, the City Council has determined that it is necessary to charge the fees set forth herein for the removal of garbage and refuse within the City;

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

SECTION 1. That a charge of twenty-three dollars and nine cents (\$23.09) per month (before sales tax) is hereby established for City removal of garbage and refuse from each residence, dwelling, duplex (each side) or apartment unit that is not a user of City-owned containers (dumpsters or similar service).

SECTION 2. That a charge of seventeen dollars and ten cents (\$17.10) per month (before sales tax) is hereby established for each residence, dwelling, duplex (each side) or apartment unit that is not a user of City-owned containers for customers 65 years of age or older. Each customer 65 years of age or older must make application to the City and provide proof of age prior to receiving the senior citizen discount.

SECTION 3. That the following fees and charges are hereby established for users of City commercial solid waste services:

(a) Front Load <u>Container Size</u>	<u>Monthly Fee Based on the Number of Collections Per Week</u>					
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
Up to 4 Cubic Yards	\$103	\$182	\$254	\$332	\$392	\$489
Over 4 Cubic Yards	\$168	\$302	\$431	\$558	\$671	\$822

(b)	<u>Front Load Compactor Size</u>	<u>Monthly Fee Based on the Number of Collections Per Week</u>					
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
	2 Cubic Yards	\$ 71	\$142	\$212	\$283	\$354	\$425
	3 Cubic Yards	\$106	\$212	\$319	\$425	\$531	\$638
	4 Cubic Yards	\$142	\$283	\$425	\$567	\$709	\$851
	6 Cubic Yards	\$212	\$425	\$638	\$851	\$1,063	\$1,275

(c) That the following fees and charges are hereby established for the lease of a solid waste roll-off compactor, receiver box, and open top containers.

Monthly Lease:

Compactors	\$340/month
20 yd open top	\$164/month
30 yd open top	\$171/month
40 yd open top	\$186/month
42 yd open top	\$186/month
20 yd receiver box	\$164/month
42 yd receiver box	\$186/month

Daily Lease is based on a 24-hour day and any portion thereof:

20 yd open top	\$5.47/day
30 yd open top	\$5.70/day
40-42 yd open top	\$6.20/day

(d) Solid Waste Containers Hauling Fees Including Privately Owned:

Compactors:	
20 yd	\$381/service call
25 yd	\$381/service call
30 yd	\$417/service call
35 yd	\$488/service call
40 yd	\$547/service call
42 yd	\$547/service call
Receiver Boxes:	
20 yd	\$381/service call
42 yd	\$547/service call
Open-Tops:	
20 yd	\$319/service call
30 yd	\$352/service call
40 yd	\$376/service call
42 yd	\$376/service call

(e) Special Container Service Fees:

Blocked Container	\$75
Delivery Fee	\$75
Relocate Container	\$75

Front Load Off-Schedule Collection \$100

- (f) Rent-a-bin Container Fee: \$60 per haul.
- (g) Overweight Containers: \$200 per ton overweight
- (h) For all commercial users, the City reserves the right to adjust charges due to various unique circumstances that arise.

SECTION 4. That the City shall charge each commercial user a landfill fee of 9.8 percent of the total monthly commercial refuse charge. For purposes of this Section 4, the phrase “total monthly commercial refuse charge” shall mean the total of the charges and fees invoiced to a commercial user pursuant to Section 3(a), Section 3(b), Section 3(d), Section (e) (Front Load Off-Schedule Collection Only), and Section 3(f) of this Resolution.

SECTION 5. That in case any user shall not timely pay for sanitation services rendered and charges otherwise due, a delinquent charge of ten percent (10%) of the unpaid balance shall be assessed fifteen (15) days from the date the bill is rendered.

SECTION 6. 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 7. That this Resolution shall take effect immediately from and after its passage; provided, however, the charges and rates shall apply to the first billing after November 1, 2023, and it is, accordingly, so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 28th day of August 2023.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith

CITY ATTORNEY

CITY SECRETARY

(PGS:8-12-23)

RESOLUTION NO. 23-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, PROVIDING AN AMENDED FEE SCHEDULE FOR BUILDING INSPECTION FEES AND PERMITS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Richardson provides for various fees for building permits and other City services relating to buildings; and

WHEREAS, the Code of Ordinances provides that the City Council will establish such fees from time to time by resolution; and

WHEREAS, the City Council desires to establish and adopt the schedule of building permit inspection and related fees and charges set forth in Exhibit "A" attached hereto to defer the administrative cost and expense of the City providing such services;

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

SECTION 1. That the Building Permit Fee Schedule attached hereto as Exhibit "A" and made a part hereof for all purposes is hereby adopted as the fee schedule for the fees listed therein and heretofore authorized, under the Code of Ordinances of the City of Richardson, as amended.

SECTION 2. That no change in the fees adopted hereby may be made except by such amendatory resolution of the City Council so stating.

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 should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

SECTION 5. That this Resolution shall become effective immediately from and after its passage; provided, however, the fees established herein shall be effective for permit applications submitted to the City on or after October 1, 2023.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 28th day of August 2023.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY

RESOLUTION NO. 23-___
EXHIBIT “A”

COMMUNITY SERVICES DEPARTMENT
BUILDING PERMIT FEE SCHEDULE
EFFECTIVE – 10/01/2023

1.	Single family dwelling	\$1,800.00
2.	Duplex dwelling	\$1,600.00
3.	Multi-family buildings (cost per unit)	\$650.00
4.	Detached building and/or structure greater than 150 sq. ft.	\$100.00
5.	Detached building and/or structure 150 sq. ft. or less	\$50.00
6.	Swimming pool	\$200.00
7.	Spa, hot tub, or above ground pool	\$100.00
8.	To erect, alter, replace, or relocate a permanent sign	\$100.00
9.	Temporary sign	\$50.00
10.	Sign repair	\$75.00
11.	Fence permit (Residential)	\$50.00
	Fence permit (Commercial)	\$50.00
12.	Antenna permit (Residential)	\$30.00
	Antenna permit (Commercial)	\$50.00
13.	Certificate of Occupancy when no building permit has been issued	\$100.00
	• No fee with the completion of work under a building permit	
14.	Utility Release (Commercial)	\$100.00
15.	Moving permit	\$75.00
16.	Demolition permit	\$50.00
17.	Reinspection fee	\$50.00
18.	Temporary building permit	\$50.00
19.	Concrete permit (Residential)	\$50.00
	Concrete permit (Commercial)	\$50.00
20.	Miscellaneous permit (Residential)	\$100.00
	(for work not included in a building permit)	
21.	Miscellaneous permit (Commercial)	\$150.00
	(for work not included in a building permit)	
22.	Contractor Registration Fee	\$100.00
23.	Filing fee for appeals to the Sign Control Board	\$250.00

RESOLUTION NO. 23-____
EXHIBIT “A”

COMMUNITY SERVICES DEPARTMENT
BUILDING PERMIT FEE SCHEDULE
EFFECTIVE – 10/01/2023

24. Residential - Additions, alterations, repairs, remodeling, fire damage, etc.
 • (Not to exceed the permit fee for new complete structures.)

<u>Building Area (Sq. Ft.)</u>	<u>Permit Fee</u>
0 to 500	\$200.00 Minimum Fee
501 and up	\$200.00 + \$0.10 / sq. ft.

25. Commercial - Additions, alterations, repairs, remodeling, fire damage, etc.
 One Percent (1.00%) of actual total market value
 • (Not to exceed the permit fee for new complete structures.)
 Minimum permit fee. (Commercial)\$225.00

26. New non-residential use buildings - all buildings except those specifically mentioned above.

(A) NEW FINISHED BUILDINGS

<u>Building Area (Sq. Ft.)</u>	<u>Permit Fee</u>
0 to 2,500	\$1,200.00 Minimum Fee
2,501 to 10,000	\$200.00 + \$0.40 / sq. ft.
10,001 to 50,000	\$400.00 + \$0.37 / sq. ft.
50,001 to 100,000	\$1,400.00 + \$0.35 / sq. ft.
100,001 to 300,000	\$2,400.00 + \$0.34 / sq. ft.
300,001 and up	\$8,400.00 + \$0.32 / sq. ft.

(B) NEW SHELL BUILDINGS

<u>Building Area (Sq. Ft.)</u>	<u>Permit Fee</u>
0 to 2,500	\$950.00 Minimum Fee
2,501 to 10,000	\$200.00 + \$0.30 / sq. ft.
10,001 to 50,000	\$400.00 + \$0.27 / sq. ft.
50,001 to 100,000	\$1,400.00 + \$0.25 / sq. ft.
100,001 to 300,000	\$2,400.00 + \$0.24 / sq. ft.
300,001 and up	\$8,400.00 + \$0.22 / sq. ft.

(C) INTERIOR FINISH OF SHELL BUILDINGS

<u>Building Area (Sq. Ft.)</u>	<u>Permit Fee</u>
0 to 2,500	\$500.00

RESOLUTION NO. 23-___
EXHIBIT “A”

COMMUNITY SERVICES DEPARTMENT
BUILDING PERMIT FEE SCHEDULE
EFFECTIVE – 10/01/2023

2,501 and up.....	\$500.00 + \$0.12/sq. ft.
27. Residential Roof Recovering Permit fee. (Residential)	\$100.00
28. Commercial Roof Recovering One Percent (1.00%) of actual total market value Minimum permit fee. (Commercial)	\$150.00

REFUNDS. There will be no refunds of fees except in the following instances:

1. When it is determined that the permit was issued due to an error by the Building Inspection Department. A full refund may be authorized in this case.
2. When it is determined that a permit cannot be legally issued; or
3. When a permit has been issued and no portion of the work has been commenced. The City will retain \$50.00, or the total amount paid if less than \$50.00, in these cases.

FEE EXEMPTION. No permit fee is required for work involving buildings or structures; the title of which is directly vested in the U. S. Government, the State of Texas, the Counties of Collin and Dallas, the City of Richardson, or the public school districts. This fee exemption shall not be construed as exempting any work from permits and inspections or any regulation of the City of Richardson.

DOUBLE FEES. When work for a permit is required and such work is started prior to obtaining said permit, the fees specified herein may be doubled. The payment of such fees shall not relieve any person from fully complying with the requirements of the applicable codes or ordinances in the execution of the work nor from any other penalties prescribed in such codes or ordinances.

VALUATION ESTIMATE. The valuation estimate is not used to determine the permit fee for new construction (building area is used), but it is used for remodeling, additions and alterations.

The dollar value of the proposed work is important to accurately report the total building activity in the City of Richardson. It should be the present best estimate of the total market value (all of the owner's costs including contractor's overhead and profit but excluding raw land costs) of the proposed construction work. Permit fees on applications with undervalued estimations will be calculated on nationally published building valuation data.

NEW BUILDING PERMIT FEE. A new building permit fee includes all fees for the building, electrical, plumbing, mechanical, and concrete work included on the plans submitted and performed during the new construction. Construction work not submitted on the plans and/or commenced after the

RESOLUTION NO. 23-___
EXHIBIT “A”

COMMUNITY SERVICES DEPARTMENT

BUILDING PERMIT FEE SCHEDULE

EFFECTIVE – 10/01/2023

final inspection will require additional permits for repairs, alterations, additions or finishing of shell buildings or miscellaneous work. *All Fire Systems are permitted and fees transacted through the Richardson Fire Marshal's Office (972)744-5750.*



RICHARDSON

T E X A S

MEMO

DATE: August 21, 2023
TO: Don Magner, City Manager
THROUGH: Kent Pfeil, Chief Financial Officer
FROM: Keith Dagen, Director of Finance
SUBJECT: Resolution for Tax Note Redemption

The City's debt plan contains conservative estimates to ensure capacity for existing and future bond programs. Currently, the model assumes zero growth in property values through Fiscal Year 2027 and only modest growth thereafter. This planning ensures that the Series 2021 GO Bond Program and Series 2022 City Hall bond propositions can be delivered without tax rate increases while providing resources for future bond programs for community needs.

Finance staff monitors the City's outstanding debt and strives to keep an inventory of debt instruments that can be paid off early at the City's discretion when value growth exceeds the model's expectations. The proportion of debt that can be paid off early is small relative to the City's total debt as staff balances investor demand, rating agency metrics and the City's financing needs.

Property value growth for the upcoming fiscal year allows staff to pay off \$3,150,000 of debt early as part of this year's proposed budget. After consulting with Hilltop Securities, the City's financial advisor, it was determined that the best use for the additional resources would be to make an increased payment towards the Tax Note that was issued in Fiscal Year 2021. This redemption will save \$144,900 in future interest payments and reduce the amount owed on the Tax Note in Fiscal Year 2028. This redemption requires the City Council to adopt a Resolution directing for the paying agent to send notice to the bondholders informing them of the early call. The attached Resolution has been prepared by the City's Bond Counsel, Norton Rose Fulbright and approved by the City Attorney.

RESOLUTION NO. 23-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, PROVIDING FOR THE REDEMPTION OF CERTAIN OUTSTANDING CITY TAX NOTES, TAXABLE SERIES 2021; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE REDEMPTION OF SUCH OBLIGATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to an ordinance passed and adopted on April 26, 2021 (the “Ordinance”) by the City Council of City of Richardson, Texas (the “City”), the following described obligations were duly authorized to be issued and are currently outstanding, to wit: City of Richardson, Texas, Tax Notes, Taxable Series 2021, dated May 1, 2021, (the “Notes”), maturing on February 15, 2028 and aggregating in principal amount \$5,855,000; and

WHEREAS, the above-identified obligations were authorized, issued, sold and delivered subject to the right and authority of the City to redeem the same prior to maturity, as provided in the Ordinance and in said obligations; and

WHEREAS, with the concurrence of the holder of 100% of the outstanding Notes, the redemption authorized by this Resolution will be applied against the sinking fund amounts of the Notes due February 15, 2028; and

WHEREAS, the City Council hereby finds and determines that a portion of such obligations of such series should be redeemed prior to its maturity on the date and in the manner hereinafter provided and in accordance with the requirements prescribed therefor and notice of redemption of such obligations should be approved and authorized to be given at this time by the City Council;

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

SECTION 1: A portion of the notes known as “City of Richardson, Texas, Tax Notes, Taxable Series 2021, dated May 1, 2021, maturing on February 15, 2028, and aggregating in principal amount \$3,150,000, shall be redeemed and the same are hereby called for redemption on February 15, 2024, at the price of par plus accrued interest to the date of redemption, such redemption amount to be applied to the mandatory redemption amount due February 15, 2028. The Mayor and the City Secretary are hereby authorized and directed to file a copy of this resolution, together with a suggested form of notice of redemption to be sent to bondholders, with First National Bank Texas, Killeen, Texas, the current paying agent/registrar for such obligations,

in accordance with the redemption provisions applicable to such obligations; such suggested form of notice of redemption being attached hereto as **Exhibit A** and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The Mayor and the City Secretary of the City are hereby authorized and directed to make all arrangements necessary to notify the holders of such obligations of the City's decision to redeem such obligations on the date and in the manner herein provided and in accordance with the Ordinance.

SECTION 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

SECTION 4: 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 5: Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

SECTION 6: 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 28th day of August 2023.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

RESOLUTION NO. 23-___
EXHIBIT "A"

NOTICE OF REDEMPTION

CITY OF RICHARDSON, TEXAS
TAX NOTES, TAXABLE SERIES 2021
Dated May 1, 2021

NOTICE IS HEREBY GIVEN that a portion of the mandatory redemption amount due February 15, 2028 of the obligations of the above series maturing on February 15, 2028, and aggregating in principal amount \$3,150,000 have been called for redemption on February 15, 2024 at the redemption price of par and accrued interest to the date of redemption, such obligations being identified as follows:

<u>Principal Amount Outstanding</u>	<u>Principal Amount Being Redeemed</u>
\$4,245,000	\$3,150,000

ALL SUCH OBLIGATIONS shall become due and payable on February 15, 2024 and interest thereon shall cease to accrue from and after said redemption date and payment of the redemption price of said obligations shall be paid to the registered owners of the obligations only upon presentation and surrender of such obligations to the office of First National Bank Texas at the following address: First National Bank Texas, 507 North Gray Street, Killeen, Texas 76541.

THIS NOTICE is issued and given pursuant to the terms and conditions prescribed for the redemption of said obligations and pursuant to a resolution by the City Council of the City of Richardson, Texas.

FIRST NATIONAL BANK TEXAS
507 North Gray Street
Killeen, Texas 76541



DATE: August 28, 2023
TO: Honorable Mayor and City Council
FROM: Sam Chavez, AICP, Director of Development Services *SDC*
SUBJECT: Variance 23-01: Zion Church Screening Variance – 1620 E. Arapaho Road

REQUEST

Shawn Kuriakose, representing the First Assembly of God Zion Church, is requesting approval of a variance to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances: Article XXII-C, Sec. 22(a) to allow a religious institution in a residential district to waive the screening requirement of parking areas in residential districts from the view of adjacent single-family residential districts. The property is located at 1620 E. Arapaho Road, on the south side of Arapaho Road, east of Bell Meade Drive.

This request is not a public hearing and specific notification is not required by State Law.

The City Plan Commission approved a site and landscape plan for Zion Church in 2016 that depicted an eight (8) foot landscape buffer with evergreen shrubs in conjunction with a six (6) foot high wrought-iron fence with brick pilasters along the south and east property lines. Although the subject site was never developed, Zion Church is now ready to develop the site and intends to comply with the landscape buffer screening requirement but seeks relief from the wrought-iron fence requirement.

The applicant met with the Richardson Duck Creek HOA Board as well as several of the residence in the neighborhood on May 2, 2023. Thirty (30) members of the community attended including the HOA president and the previous HOA president. The applicant states there was strong support regarding the requested waiver of the fence/wall requirement as well as the future development plans for the property.

The applicant specifically reached out to the fourteen (14) property owners immediately adjacent to the church property. The applicant has received signatures from twelve (12) of the property owners in favor of the variance request. The two (2) property owners who did not respond to the request to sign the petition lived on the west side of Bell Meade Drive on Willow crest Drive (1607 and 1608 Willow Crest Drive), where screening would not be required.

To date, staff has not received any correspondence regarding this request other than the petition submitted by the applicant.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a 6-0 vote recommends approval of the variance as requested.

ATTACHMENTS

Draft CPC Minutes 2023-08-01	Variance Exhibit (Exhibit “B”)
Staff Report	Applicant’s Statement
Locator/Zoning Map	Neighborhood Signature Map
2016 Approved Landscape Plan (Exhibit “A”)	Signed Petition

**DRAFT – EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – AUGUST 1, 2023**

Variance 23-01 – Zion Church Screening Variance: Consider and take necessary action on a request for a variance to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances: Article XXII-C, Sec. 22(a) to waive the requirement to screen parking areas for religious institutions in residential districts from the view of adjacent single-family residential districts. The property is located at 1620 E. Arapaho Road, on the south side of Arapaho Road, east of Bell Meade Drive. *Property Owner: Anish Abraham, representing Zion Church. Staff: Aaron Zilz.*

Mr. Zilz stated the variance request was to allow a waiver to screening requirements for the Zion Church along the east and south property lines. He presented a location map of the subject property and described the surrounding property land use and zoning. He presented the approved landscape plan from 2016 that reflected the required screening, including a wrought iron fence with brick pilasters in conjunction with an 8-foot-wide landscape buffer and an evergreen hedge row.

Mr. Zilz presented photographs of the subject property to display existing conditions to depict where the required fencing should be located. He explained the request is to waive the requirement for the fence along the east and south property lines. However, the applicant still proposed to provide the 8-foot-wide landscape buffer and an evergreen shrub row along the east and south property lines.

Mr. Zilz stated the applicant met with the homeowners’ association prior to submitting the variance request. The applicant stated approximately thirty (30) neighbors attended the meeting and were in support of the request. He presented a map showing the properties directly adjacent to the site that the applicant reached out to regarding the request. The applicant provided a petition showing all the owners to the south and east of the site were in favor of the request. Two (2) property owners to the west of the subject property could not be reached.

Mr. Zilz provided a summary of the request and restated that the applicant was requesting to waive the requirement to provide a wrought iron fence but still intended to provide the 8-foot-wide landscape buffer and evergreen shrubs.

Chairman Marsh stated he did not believe a wrought iron fence was necessary for screening since the shrubs provide the actual vehicle headlight screening. He stated that since the homes backed to the church property, the owners would not typically be looking out at the church property. He was pleased with the amount of community outreach performed by the church and that they were able to get support from all the property owners along the east and south property lines. He was encouraged that the landscape buffer and evergreen shrubs along with irrigation would be provided.

With no further questions of staff, Chairman Marsh invited the applicant to come forward to present their request.

Mr. Roy Thomas, Zion Church Board member, 211 Tanner Creek Circle, Sunnyvale, TX, came forward on behalf of Zion Church. He stated they were only asking for a waiver to the fence requirement on the east and south sides of the property. He stated the neighbors requested there be no fence and that the shrubs are better for providing vehicle headlight screening. He stated they met with the homeowners' association, and those adjacent to the site were in favor of the request. They provided a petition to the neighbors so they could show their support.

With no questions of the applicant, Chairman Marsh asked if anyone would like to speak in favor of the request.

Mr. Anthony Rice, Duck Creek HOA President, 1505 Creekside Drive, came forward to state that he was personally in favor of the request.

Chairman Marsh asked if there was anyone else present who wanted to speak in favor or in opposition to the request.

With no other speakers, Chairman Marsh asked for a motion.

Motion: Commissioner Costantino made a motion to recommend approval of Variance 23-01 – Zion Church Screening Variance as presented. Seconded by Commissioner Keller. Motion Passed 6-0.

TO: City Council

THROUGH: Sam Chavez, AIPC – Director of Development Services

FROM: Aaron Zilz, AICP - Planner II

DATE: August 28, 2023

RE: **Variance 23-01: Zion Church Screening Variance – 1620 E. Arapaho Road**

REQUEST

Approval of a variance to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances: Article XXII-C, Sec. 22(a) to allow a religious institution in a residential district to waive the requirement to screen parking areas for religious institutions in residential districts from the view of adjacent single-family residential districts. The property is located at 1620 E. Arapaho Road, on the south side of Arapaho Road, east of Bell Meade Drive.

This request is not a public hearing and specific notification is not required by State Law.

APPLICANT/ PROPERTY OWNER

Stephen Upham, Crosspoint Architects / Anish Abraham, Zion Church

EXISTING DEVELOPMENT

The subject property is approximately 4.471 acres and is zoned R-1800-M Residential (Ordinance 456) and R-1500-M (Ordinance 1091). The site is currently developed with a 1-story, approximately 7,362-square foot church.

ADJACENT ROADWAYS

E. Arapaho Road: Six-Lane divided Arterial; 25,600 vehicles per day on all lanes, eastbound and westbound, west of N. Jupiter Road (May 2021).

N. Yale Road: Two-Lane divided Minor Collector; 1,800 vehicles on all lanes, north and southbound, north of E. Arapaho Road (May 2021).

SURROUNDING LAND USE AND ZONING

North: Single Family / R-1500-M Residential & A-950-M Apartment
East: Single Family / R-1500-M Residential
South: Single Family / R-1500-M Residential
West: Single Family / R-1500-M Residential

STAFF COMMENTS

Background:

Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article XXII-C, Sec. 22(a) requires religious institutions in residential districts to screen all parking areas from the view of adjacent single-family residential districts by a masonry wall, not less than six (6) feet in height, or a living screen within a landscape buffer at least eight (8) feet in width, in conjunction with either a wrought-iron or vinyl-coated chain-link fence, or combination thereof.

On November 1, 2016, the City Plan Commission approved a site and landscape plan to accommodate the addition of a 10,178-square foot building and additional parking throughout the property with a future development area on the west side of the property. The plans also indicated the use of a living screen comprised of Burford Holly shrubs (4'-5' in height at planting and minimum of six (6) feet at maturity within a minimum 8-foot-wide landscape buffer in combination with a 6-foot high wrought-iron fence with brick pilasters at eight (8) feet on center (see Exhibit "A" – 2016 Approved Landscape Plan).

The November 2016 proposed building and parking were never constructed. The applicant now desires to construct a new building and parking in a similar layout to the previously approved plan; however, they do not wish to construct the approved fence, but they do intend to install the required landscape screening similar to what was approved in Exhibit "A" The attached Variance Exhibit (Exhibit "B") reflects the proposed design.

The applicant met with the Richardson Duck Creek HOA Board as well as several of the residents in the neighborhood on May 2, 2023. Thirty (30) members attended, including the HOA president and the previous HOA president. The applicant states there was strong support regarding the requested waiver of the fence/wall requirement as well as the proposed future development plans for the church. The applicant specifically reached out to fourteen (14) property owners immediately adjacent to the church property. The applicant received signatures from twelve (12) of those property owners in favor of the variance request (see attached map showing property owners supporting the request). There were two (2) property owners who did not respond to requests to sign the petition. These properties are located on the west side of Bell Meade Drive on Willow Crest Drive (1607 and 1608 Willow Crest Drive), and screening is not required along Bell Meade Drive.

The applicant states they do not wish to construct a wall or fence because they want to feel integrated with the local community, rather than having the fence or wall pose a physical barrier between the church and neighborhood, stating the living screen provides a natural and soft screen for the neighborhood. The living screen will shield the homes from vehicle headlight glare and the direct line of sight to the parking lot while still providing a sense of openness.

Correspondence: To date, staff has not received correspondence regarding this request other than the petition submitted by the applicant.

Motion: On August 1, 2023, the City Plan Commission recommended approval of the request by a vote of 6-0 with the following condition:

1. A minimum 4-foot-tall evergreen shrub row shall be provided along the east and south property lines of the subject property within a minimum 8-foot-wide landscape buffer in conformance with Exhibit “B”.

VAR 23-01

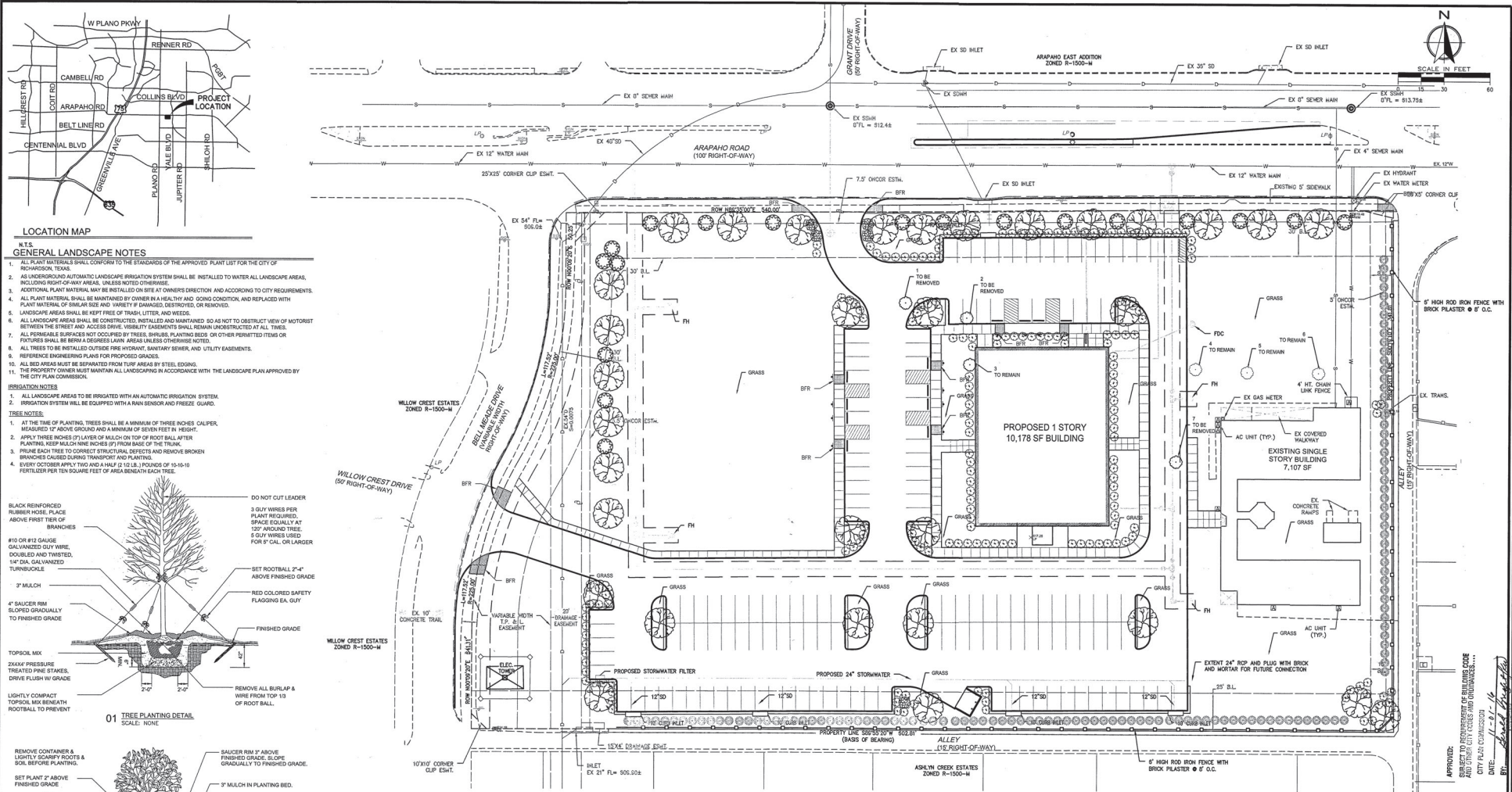


VAR 23-01 Aerial and Zoning Map 1620 E. Arapaho Rd



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.

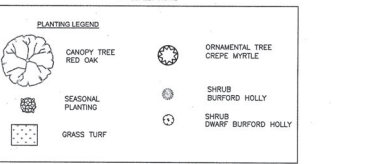
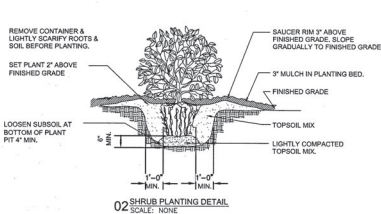
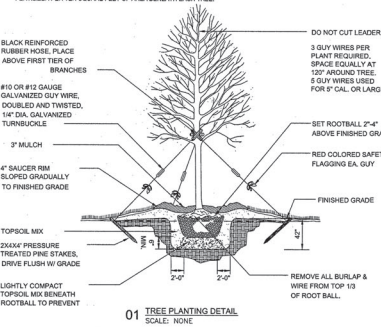




LOCATION MAP

- GENERAL LANDSCAPE NOTES**
1. ALL PLANT MATERIALS SHALL CONFORM TO THE STANDARDS OF THE APPROVED PLANT LIST FOR THE CITY OF RICHMOND, TEXAS.
 2. AS UNDERGROUND AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO WATER ALL LANDSCAPE AREAS, INCLUDING ROOF-OF-WAY AREAS, UNLESS NOTED OTHERWISE.
 3. ADDITIONAL PLANT MATERIAL MAY BE INSTALLED ON SITE AT OWNER'S DISCRETION AND ACCORDING TO CITY REQUIREMENTS.
 4. ALL PLANT MATERIAL SHALL BE MAINTAINED BY OWNER IN A HEALTHY AND GOING CONDITION AND REPLACED WITH PLANT MATERIALS OF SIMILAR SIZE AND VARIETY IF DAMAGED, DESTROYED, OR REMOVED.
 5. LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, AND WEEDS.
 6. ALL LANDSCAPE AREAS SHALL BE CONSTRUCTED, INSTALLED AND MAINTAINED SO AS NOT TO OBSTRUCT VIEW OF MOTORIST BETWEEN THE STREET AND ACCESS DRIVE. VISIBILITY TRIANGLES SHALL REMAIN UNOCCUPIED AT ALL TIMES.
 7. ALL PERMEABLE SURFACES NOT OCCUPIED BY TREES, SHRUBS, PLANTING BEDS, OR OTHER PERMITTED ITEMS OR FEATURES SHALL BE BERM GRASS/LEGUME LAWN AREAS UNLESS OTHERWISE NOTED.
 8. ALL TREES TO BE INSTALLED OUTSIDE FIRE HYDRANT, SANITARY SEWER, AND UTILITY EASEMENTS.
 9. REFERENCE ENGINEERING PLANS FOR PROPOSED ROADS.
 10. ALL BED AREAS MUST BE SEPARATED FROM TURF AREAS BY STEEL EDGING.
 11. THE PROPERTY OWNER MUST MAINTAIN ALL LANDSCAPES IN ACCORDANCE WITH THE LANDSCAPE PLAN APPROVED BY THE CITY PLANNING COMMISSION.

- IRRIGATION NOTES**
1. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.
 2. IRRIGATION SYSTEM SHALL BE EQUIPPED WITH A MAIN SENSOR AND FREZZER GUARD.
- TREE NOTES**
1. AT THE TIME OF PLANTING, TREES SHALL BE A MINIMUM OF THREE INCHES CALIPER, MEASURED 4" ABOVE GROUND AND A MINIMUM OF SEVEN FEET IN HEIGHT.
 2. APPLY THREE INCHES (3") LAYER OF MULCH ON TOP OF ROOT BALL AFTER PLANTING. KEEP MULCH FIVE INCHES (5") FROM BASE OF THE TRUNK.
 3. PRUNE EACH TREE TO CORRECT STRUCTURAL DEFECTS AND REMOVE BROKEN BRANCHES CAUSED DURING TRANSPORT AND PLANTING.
 4. EVERY OCTOBER APPLY TWO AND A HALF (2 1/2) LBS. FERTILIZER OF 10-10-10 FERTILIZER PER TEN SQUARE FEET OF AREA BENEATH EACH TREE.



EXISTING TREES	QTY.	COMMON NAME	ROTTING NAME	SIZE/SPACING	SUMMARY	ACTUAL	EQUIV. (SQ)	CITY REQUIRED
1	20'	ELM	TO BE REMOVED	LOCATED IN PROPOSED DRIVE AISLE				
2	24'	OAK	TO BE REMOVED	LOCATED IN PROPOSED PARKING AREA				
3	22'	OAK	TO REMAIN					
4	24'	OAK	TO REMAIN					
5	14'	ELM	TO REMAIN					
6	30'	ELM	TO REMAIN					
7	20'	OAK	TO BE REMOVED	LOCATED IN PROPOSED DRIVE AISLE				

LANDSCAPING DATA	QTY.	COMMON NAME	ROTTING NAME	SIZE/SPACING	SUMMARY	ACTUAL	EQUIV. (SQ)	CITY REQUIRED
STREET TREES REQUIRED (1/EA. 50 LF OF FRONT)	800 LF/50'	18	RED OAK	QUERUS SHUMARDI	3" CALIPER			
CANOPY TREES PROVIDED (26)	800 LF/50'	18	RED OAK	QUERUS SHUMARDI	3" CALIPER			
ORNAMENTAL TREES PROVIDED (18)	800 LF/50'	18	GRAPE WHITE	LAGERSTROMIA INDICA	4 CANES	TOTAL LOT AREA	194,763 SF	
PARKING TREES	14	RED OAK	QUERUS SHUMARDI	3" CALIPER				
	124	BURFORD HOLLY	ILEX CORNUTA BURFORD "NANA"	4-5" HEIGHT AT PLANTING MIN. 8" HEIGHT AT MAJORITY	TOTAL LANDSCAPE AREA	68,367.40 SF	38.11 X	106 (OF SITE) 19,479 SF
	150	DWARF BURFORD HOLLY	ILEX CORNUTA BURFORD "NANA"	5 GALLON, 20" O.C., 2" H. HEIGHT UPON PLANTING				
EXIST. TREES TO REMAIN	4	3 OAKS, 1 ELM						
TOTAL SHRUBS PROVIDED	304				PARKING LANDSCAPE	8,800 SF	45.5X	206 (OF SITE) 3,885.2 SF

LANDSCAPE PLAN 01 C5

- NOTES**
1. OUTDOOR LIGHTING MUST BE ORIENTED SO THAT LIGHTING LEVELS AT ALL PROPERTY LINES ARE 1 FOOT-CANDLE OR LESS.
 2. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.

PROPERTY OWNER

NAME: ZION GOSPEL ASSEMBLY CHURCH
 ADDRESS: 1620 E. ARAPAHO ROAD, RICHARDSON, TX 75081
 PHONE: (972) 963-4666
 CONTACT PERSON: ROY THOMAS

DESIGN FIRM

NAME: GATEWAY ENGINEERING
 ADDRESS: 201 MAIN ST. FORT WORTH, TX 76135
 PHONE: (817) 562-1997
 CONTACT PERSON: MATTHEW WILLIAMSON

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND UTILITIES AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES, MISSING DIMENSIONAL ERRORS, OR MISSING UTILITY MARKS. DO NOT SCALE DRAWINGS.

FOR A NEW MULTIPURPOSE BUILDING FOR:
ZION GOSPEL ASSEMBLY CHURCH
 1620 EAST ARAPAHO ROAD, RICHARDSON, TEXAS
 FIRST ASSEMBLY OF GOD ADDITION, LOT 1A, BLOCK D

APPROVED:

DATE: 11/16/2016

h a r c h i t e c t

300 South Cooper Street #102 - Richardson, Texas 75081 - contact@harchitect.com - 972.208.2200

JOB NUMBER: ZA-05175
 SHEET NUMBER: C5

ZION CHURCH - APPLICANT NARRATIVE

History: Zion Church has been active in Richardson and has occupied their current site since 2009. This congregation almost built a new gym structure in 2016. Their site plan and civil design was approved by the city in 2017. It showed a fence and landscaping between their site and the surrounding residential neighborhood.

The church did not build the gym design and paused the project. This year they decided to redesign the building as a worship center– but keep it in the same location on the property and incorporate basically the same site plan.

Meeting with surrounding homeowners: To foster continued good relationships with the surrounding homeowners, they invited the entire 700+ HOA members to a meeting and presentation of the church’s plans on May 2 of this year.

30 HOA members/neighbors attended, including the current HOA president and the previous HOA president. The result of the meeting was **resounding support** for the church’s proposed site and building design from the neighbors.

The homeowners, especially those whose property adjoins the church site, specifically asked that there NOT BE A FENCE OR WALL between their alley and the church. They like the landscaping – but not a wall or fence. The church agreed to request a variance from the City of Richardson.

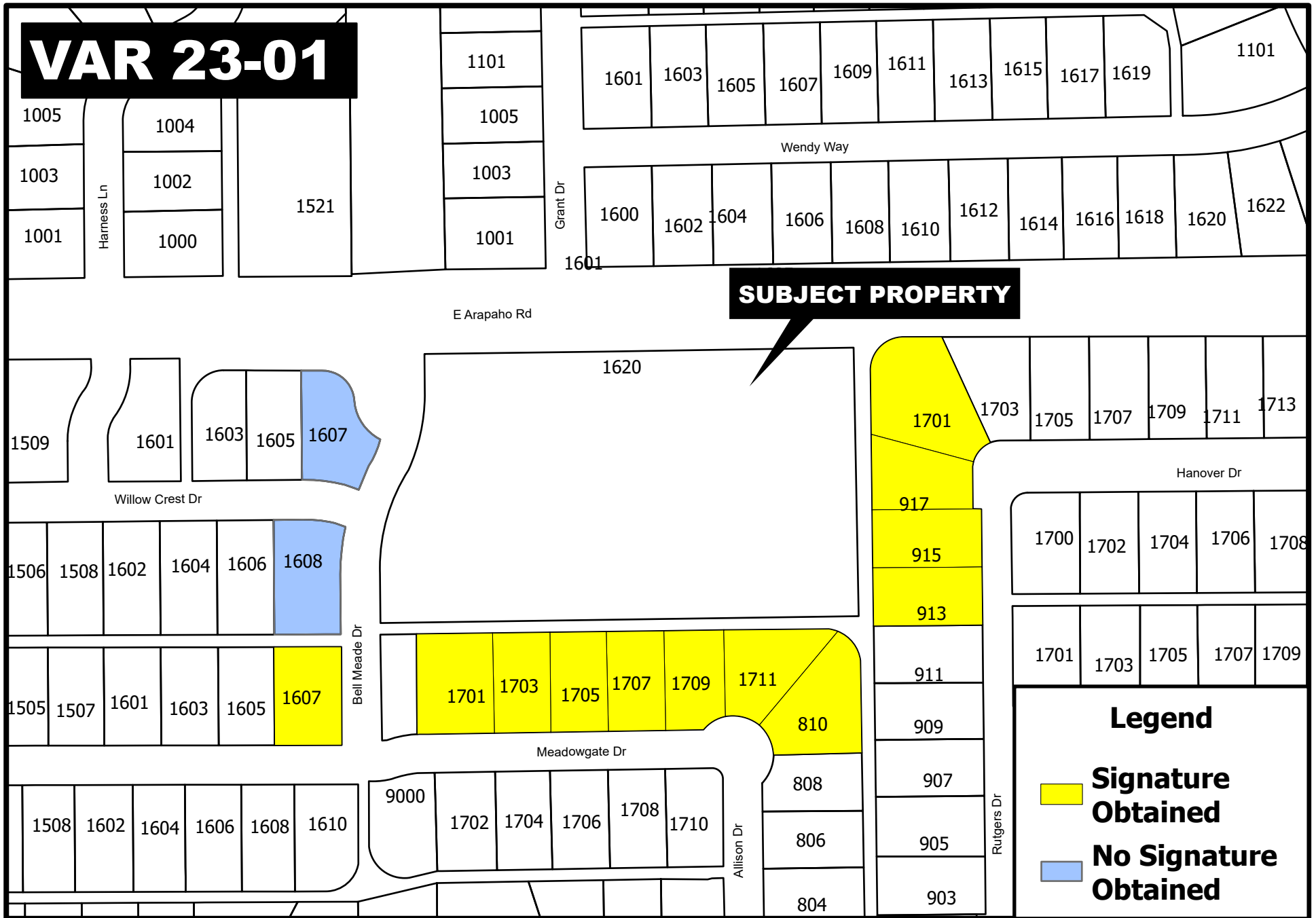
Petition of Homeowners: The HOA took a petition to the 14 homes surrounding/adjoining the church property. Of those that responded so far - 12 out of 14 have signed it to eliminate the wall/fence component of the barrier between their lots and the church. The HOA is still trying to successfully reach the remaining homeowners in this group.

Zone Request: The church specifically requests that they be granted a variance to provide only the landscape buffer between their property on the two sides that adjoin the homes.



Steve Upham, Architect
Crosspointe Architects

VAR 23-01



VAR 23-01 Zion Church 1620 E. Arapaho Rd

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.



RICHARDSON
TEXAS

Zion Church - Neighborhood Variance Request

Section 22 of the City Zoning Ordinance

For religious institutions in residential districts, all parking areas shall be screened from the view of adjacent single-family residential districts by a masonry wall, not less than six feet in height, or a living screen with a landscape buffer at least eight feet in width, in conjunction with either a wrought-iron or vinyl-coated chain link fence, or a combination thereof.

If an adjacent neighbor would prefer a living screen, WITHOUT a wrought-iron or vinyl-coated chain link fence

Address	Name	Phone	Email	Signature	Signature
915 Rutgers	Byron Holman	972-450-9489	byronholman2014@gmail.com	<i>[Signature]</i>	
915 Rutgers	Thomas Nemaruk	214-200-6769	remarukthomas@gmail.com	<i>[Signature]</i>	
917 Rutgers	Vicki Schrader			<i>[Signature]</i>	
1701 Hanover	Carla Boyle	1-214-791-1721	carla.boyle@att.net	<i>[Signature]</i>	
1711 Meadowgate	Danny Brochyl			<i>[Signature]</i>	
1709 Meadowgate	Chauncey Deller	817-243-9111	chauncey.deller@gmail.com	<i>[Signature]</i>	
1707 Meadowgate	Andy & Jane Blum	817-467-7134	andy@blum.com	<i>[Signature]</i>	
1705 Meadowgate	Greg & Robin Mathews	817-467-7134	greg@mathews.com	<i>[Signature]</i>	
1703 Meadowgate	Brian Bittenbinder	214-421-7121	brian@bittenbinder.com	<i>[Signature]</i>	
1701 Meadowgate	Simone Santos			<i>[Signature]</i>	
1607 Meadowgate	Ethan McCormack	972-379-2818	ethan@mcormack.com	<i>[Signature]</i>	
810 Allison	Linda Steele	972-467-1721	linda@steele.com	<i>[Signature]</i>	
608 Willow Crest	John & Sarah				
607 Willow Crest	John & Marilyn Turner	972-642-7781			



DATE: August 28, 2023
TO: Honorable Mayor and City Council
FROM: Sam Chavez, AICP, Director of Development Services *SDC*
SUBJECT: Variance 23-02: Pet Supplies Plus Parking Variance – 1300 E. Belt Line Road

REQUEST

Karl Crawley, Masterplan, representing the owner, Mark Cohen, Duane Texas Properties, LLC, is requesting approval of a variance to Article XXII-D, Sec. 1(h)(1)(1)(2) of the Comprehensive Zoning Ordinance to allow a 31-parking space reduction to accommodate an 11,647-square foot pet sales and grooming establishment within an existing approximately 63,000-square foot building. The property is located at 1300 E. Belt Line Road, on the south side of Belt Line Road, west of Plano Road.

This request is not a public hearing and specific notification is not required by State Law.

Pet Supplies Plus intends to occupy the vacant 11,647-square foot lease space in the shopping center previously occupied by Daily Deals and Furniture. The Comprehensive Zoning Ordinance requires retail buildings over 10,000 square feet to provide thirty (30) plus 1/200 square feet over 10,000 square feet.

The subject property provides a total of 306 parking spaces while a minimum of 337 parking spaces are required for the existing tenants and the proposed retail store, thereby creating a 31-space parking deficiency. The applicant has determined that the maximum number of parking spaces needed during their peak hours are ten (10) to sixteen (16) spaces.

Based on the observations by the applicant and staff, the peak parking demand based on current shopping center conditions appears to be approximately 125 to 134 parking spaces. The applicant states the peak hours of Pet Supplies Plus is on Friday evening and Monday just before midday. The AM peak hour (6:30 a.m. to 9:00 a.m.) for Planet Fitness does not coincide with the peak hour for the other tenants of the shopping center. Planet Fitness' peak PM hour is between 4:30 p.m. and 8:00 p.m. Monday through Wednesday with a drop off during the weekend. Based on the observed counts, there appears to be more than 189 parking spaces available for the proposed Pet Supplies Plus.

To date, staff has received one (1) letter from the property owner to the south requesting additional time to study the request. Following the August 1st CPC meeting, the applicant and property owner to the south met and resolved any questions related to the subject request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a 6-0 vote recommends approval of the variance to allow a 31-space parking reduction; however, the Commission's recommendation modified the limitation on the variance from a retail use to a pet sales and grooming use only.

ATTACHMENTS

Draft CPC Minutes 2023-08-01
Staff Report
Locator/Zoning Map

Variance Exhibit
Applicant's Statement
Correspondence

**DRAFT – EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – AUGUST 1, 2023**

Variance 23-02 – Pet Supplies Plus Parking Variance: Consider and take necessary action on a request for a variance to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances: Article XXII-D, Sec. 1(h)(1)(l)(2) to allow a 31-space parking reduction to accommodate an 11,647-square foot retail use within an approximately 63,000-square foot building. The property is located at 1300 E. Belt Line Road, on the south side of Belt Line Road, west of Plano Road. *Property Owner: Mark Cohen, Duane Texas Properties, LLC. Staff: Aaron Zilz.*

Mr. Zilz stated the variance request was to allow a parking reduction for Pet Supplies Plus. He presented a location map of the subject property and the surrounding retail properties. He presented a site plan displaying the 11,647-square foot lease space that Pet Supplies Plus intended to occupy and described the other tenants within the shopping center.

Mr. Zilz stated the applicant calculated the amount of parking required for the shopping center when the subject lease space was converted from a furniture store use to a retail use. Based on the proposed change, the site would be deficient by thirty-one (31) parking spaces with 337 parking spaces required and 306 spaces provided. The site received a 64-space reduction in 2022 to accommodate a health club use. He presented a slide displaying multiple parking counts of occupied spaces observed by the applicant on various days and times. Their highest number of occupied spaces was on Monday, Tuesday, and Wednesday evenings. The highest number of occupied spaces was on a Wednesday evening when 134 spaces were occupied; 172 spaces were unoccupied. He stated these observations were consistent with staff observations.

Mr. Zilz provided a summary of the request, stating the applicant was requesting to allow a 31-space reduction to accommodate a retail use.

With no questions of staff, Chairman Marsh invited the applicant to come forward to present their request.

Mr. Karl Crawley, Masterplan, 2201 Main Street, Dallas, TX, 75201 came forward on behalf of the owner to present the variance request. He stated his company did extensive parking counts and found that there were always many spaces unoccupied. He stated the health club use peak times are different than the Pet Supplies Plus peak times. He stated they typically do not need more than twenty-five (25) parking spaces to accommodate their peak times, and there was plenty of available parking. He stated the property to the south also received a variance in 2007 in addition to the variance granted in 2022 for the health club on the subject property. He provided some history regarding the previous furniture store use and that no retail store would be allowed in that space without a variance. He also discussed time of day parking calculations related to uses that utilize parking at different times of day. He summarized his request stating he felt it was a good tenant that would not cause a parking issue.

Chairman Marsh asked if this was the last vacant space in the shopping center.

Mr. Crawley responded, yes.

Mr. Mark Cohen, Centerpoint Properties, 5330 Alpha Road, Suite 200, Dallas, TX 75240 came forward representing the property management and leasing for the property. He described how they have been able to re-tenant the building since purchasing the property. He stated they had the opportunity to bring in a national tenant to replace the furniture store which would enhance the shopping center.

Chairman Marsh invited anyone else in favor or opposition to the request to come forward.

Mr. Dick Ferrell, 5948 Meletio Lane, Dallas, TX 75230, owner of the shopping center to the south, came forward to speak. He addressed his concerns related to the request and stated he had sent an email regarding his concerns that was provided to the Commission. He stated his concern was not with Pet Supplies Plus but with future tenants that might require more parking spaces which could lead to parking on the subject property spilling over onto his property. He was concerned how that issue may affect his ability to obtain a future parking variance if necessary. He also expressed concern that the health club use on the subject property had not yet reached its full membership. His final concern was related to how future restaurant space on the subject property might be relocated closer to his property. He stated that he was not approached by the owner of the subject property to discuss these concerns prior to the request, and he was asking for additional time to review the request and discuss his concerns.

Chairman Marsh asked when Mr. Ferrell became aware of the variance request.

Mr. Shacklett stated Mr. Zilz contacted Mr. Ferrell about the request the Wednesday before the Commission meeting. He stated staff has encouraged the subject property owner and his consultant to contact Mr. Ferrell before this request as well as the parking variance request for the health club use in 2022. It was staff's understanding the subject property owner had not reached out to Mr. Ferrell on either occasion.

Chairman Marsh asked if there were notification requirements for variance requests similar to zoning notification requirements.

Mr. Shacklett stated there are no such requirements.

Chairman Marsh asked Mr. Ferrell if there was a shared parking agreement between the two (2) properties.

Mr. Ferrell stated there were agreements for ingress and egress and property maintenance, but there was no shared parking agreement.

Chairman Marsh asked Mr. Ferrell how many parking spaces were on his property.

Mr. Ferrell was not sure of the exact number; Mr. Shacklett stated he believed the site provided approximately 270-280 spaces but that an additional eighteen (18) spaces had been recently approved but had not yet been striped.

Mr. Ferrell stated they had been striped.

Chairman Marsh asked Mr. Ferrell what the provided parking ratio was for his entire shopping center.

Mr. Ferrell stated they were in compliance with the City's parking requirements.

Chairman Marsh asked what the ratio per 1,000 square feet was for the property.

Mr. Shacklett stated staff could calculate that ratio.

Commissioner Walraven confirmed Mr. Ferrell's request was for a delay and what did he propose to do if a delay were granted.

Mr. Ferrell stated he wanted the chance to discuss his concerns with Mr. Cohen and the City.

Vice Chairman Southard asked Mr. Ferrell if his property was fully occupied.

Mr. Ferrell stated it was not.

Chairman Marsh asked Mr. Ferrell about the occupancy of his shopping center.

Mr. Michael Sweet, Structure Commercial, 17200 Westgrove Drive, Addison, TX 75001, came forward to speak. He stated his company handled the leasing for Mr. Ferrell's shopping center. He stated there was approximately 18,000 square feet of vacancy. He reiterated their concern was related to when their property became 100% occupied.

Chairman Marsh asked about the parking ratio for the shopping center again.

Mr. Shacklett stated Mr. Ferrell's shopping center was approximately 49,000 square feet and 296 parking spaces were provided. He stated the ratio was approximately six (6) parking spaces per 1,000 square feet.

Chairman Marsh asked Mr. Ferrell how full his parking lot was at peak times.

Mr. Ferrell stated the parking lot was approximately 50% full at peak times, but that would increase as he leased vacant tenant spaces.

Chairman Marsh stated both properties seemed to have approximately the same number of parking spaces occupied at peak times. He stated there was a lot of unoccupied spaces on both sites. He stated the new tenant, Pet Supplies Plus, anticipates a demand for approximately sixteen (16) spaces so it did not seem that their customers or employees would encroach upon Mr. Ferrell's property.

Mr. Ferrell agreed, but he stated that the counts could dramatically change as the health club membership grows or if restaurant space was relocated from the north side of the building to the east side of the building which is closer to his property.

Chairman Marsh asked Mr. Ferrell about the types of uses he expected to lease the vacant space in his shopping center.

Mr. Ferrell stated it was likely that a 5,000-square foot lease space on the end of his building would be restaurant. The other vacancies would likely be retail, restaurant or service uses, but there are not many tenants that are still traditional retail.

Chairman Marsh asked Mr. Shacklett if parking would be recalculated if an alternate use were to go into the health club space or any other space on the subject property.

Mr. Shacklett responded that was correct. He stated any additional restaurant space would require another variance. He stated the owner of the subject property could also come back later and request to rezone the property to a PD so that a standard parking ratio or set number of spaces could be required so a variance would not be required each time a new use wanted to occupy a space. He stated the previous variance was limited to a health club and the subject variance was limited to retail and could be further limited to a pet sales and grooming use.

Mr. Ferrell stated the total of the previous variance and proposed variance was for a total reduction of ninety-five (95) spaces. He reiterated his concern was his property could be impacted in the future, and his ability to obtain a parking variance in the future on his property could be negatively impacted.

With no other speakers, Chairman Marsh asked if staff had any further comments.

Mr. Zilz reiterated a request to rezone the subject property or both properties to a PD to modify parking standards in the future was an option.

Commissioner Walraven stated she would be in favor of the request if the use could be limited to a pet sales and grooming use.

Chairman Marsh stated he wanted to ensure both properties were being treated fairly, but he feels many areas in the City are overparked. He felt the reduction in overall parking would leave the subject property at just under five (5) spaces per 1,000 square feet which is typical of retail centers. He stated both properties currently have ample parking. He stated his preference would be for neighbors to speak to one another regarding these types of requests. He stated there will still be time between this meeting and the Council meeting for the two (2) owners to have these discussions and asked when the meeting might go to Council.

Mr. Shacklett stated the tentative date for the City Council meeting was September 11, 2023.

Chairman Marsh stated that should provide adequate time for the discussion to occur.

Motion: Commissioner Walraven made a motion to recommend approval of Variance 23-02 – Pet Supplies Plus Parking Variance with a condition limiting the variance to a pet sales and grooming use. Seconded by Commissioner Purdy. Motion Passed 6-0.

TO: City Council
THROUGH: Sam Chavez, AICP, Director of Development Services **SDC**
FROM: Aaron Zilz, AICP, Planner II-Development and Engineering **AZ**
DATE: August 28, 2023
RE: **Variance 23-02: Pet Supplies Plus Parking Variance – 1300 E. Belt Line Road**

REQUEST

Approval of a variance to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances: Article XXII-D, Sec. 1(h)(1)(l)(2) to allow a 31-space parking reduction to accommodate a 11,647-square foot pet sales and grooming establishment within an existing approximately 63,000-square foot building. The property is located at 1300 E. Belt Line Road, on the south side of Belt Line Road, west of Plano Road.

This request is not a public hearing and specific notification is not required by State Law.

APPLICANT/ PROPERTY OWNER

Amy Mathews, AICP, Masterplan / Mark Cohen, Duane Texas Properties, LLC

EXISTING DEVELOPMENT

The subject property is approximately 4.81 acres and is zoned C-M Commercial. The site is currently developed with a 1-story, approximately 63,000-square foot retail building. The site provides 306 parking spaces. There are currently six (6) tenants in the building, including three (3) restaurants, a health club, an automotive parts store and a barber salon and school. Pet Supplies Plus is proposing to occupy the remaining vacant 11,647 square feet that was most recently occupied by a furniture store.

ADJACENT ROADWAYS

E. Belt Line Road: Six-Lane divided Arterial; 24,900 vehicles per day on all lanes, eastbound and westbound, east of Plano Road (May 2021).

S. Plano Road: Six-Lane divided Arterial; 30,500 vehicles on all lanes, north and southbound, north of Belt Line Road (May 2021).

SURROUNDING LAND USE AND ZONING

North: Community Commercial / C-M Commercial & PD Planned Development
East: Community Commercial / PD Planned Development
South: Community Commercial / C-M Commercial
West: Community Commercial / LR-M(2) Local Retail

STAFF COMMENTS

Background:

Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article XXII-D, Sec. 1(h)(1)(1)(2) requires that retail sales and service facilities provide thirty (30) parking spaces for the first 10,000 square feet of retail floor area, plus one (1) space per 200 square feet of building floor area in excess of 10,000 square feet.

Pet Supplies Plus intends to occupy the vacant 11,647-square foot portion of the shopping center that was previously occupied by Daily Deals & Furniture. Pet Supplies Plus, in conjunction with the other uses in the existing building, would require 337 spaces; however, only 306 spaces are provided, thereby creating a deficiency of thirty-one (31) spaces. This includes a 64-space variance granted in 2022 to accommodate the health club, Planet Fitness. Although the previous use was a retail furniture store, the City's Parking Regulations allow a reduced parking ratio of one (1) parking space per 500 square feet for furniture stores; thereby causing the 31-space increase when the use is changed from a furniture store to general retail store.

The applicant has studied the parking capacity over the course of several weeks. The peak capacity appears to be Monday through Wednesday at 6:30 p.m. with 125 to 134 spaces being occupied. On average, eighty-five (85) spaces are occupied and 221 are unoccupied. The observed parking counts conducted by the applicant are listed below:

Date	Time	Number of Occupied Spaces	Number of Unoccupied Spaces
Tuesday, April 11 th	1:00 PM	59	247
Tuesday, April 11 th	6:30 PM	129	177
Wednesday, April 12 th	12:30 PM	74	232
Wednesday, April 12 th	6:30 PM	134	172
Saturday, April 15 th	12:15 PM	63	243
Thursday, May 18 th	12:30 PM	79	227
Monday, May 22 nd	1:00 PM	72	234
Thursday, May 25 th	12:15 PM	76	230
Sunday, May 28 th	12:30 PM	80	226
Wednesday, May 31 st	12:00 PM	67	239
Monday, June 12 th	6:30 PM	125	181
Friday, July 7 th	12:30 PM	85	221
Saturday July 8 th	5:40 PM	70	236
Saturday July 8 th	6:25 PM	84	222
Sunday July 9 th	6:30 PM	75	231

Pet Supplies Plus anticipates approximately four (4) to six (6) employees working at a given time. They also anticipate no more than (10) customers at a given time. They have stated their peak times will be on the weekends between 3:00 p.m. and 7:00 p.m. Based on their assumptions, they would expect a maximum parking demand of no more than sixteen (16) parking spaces.

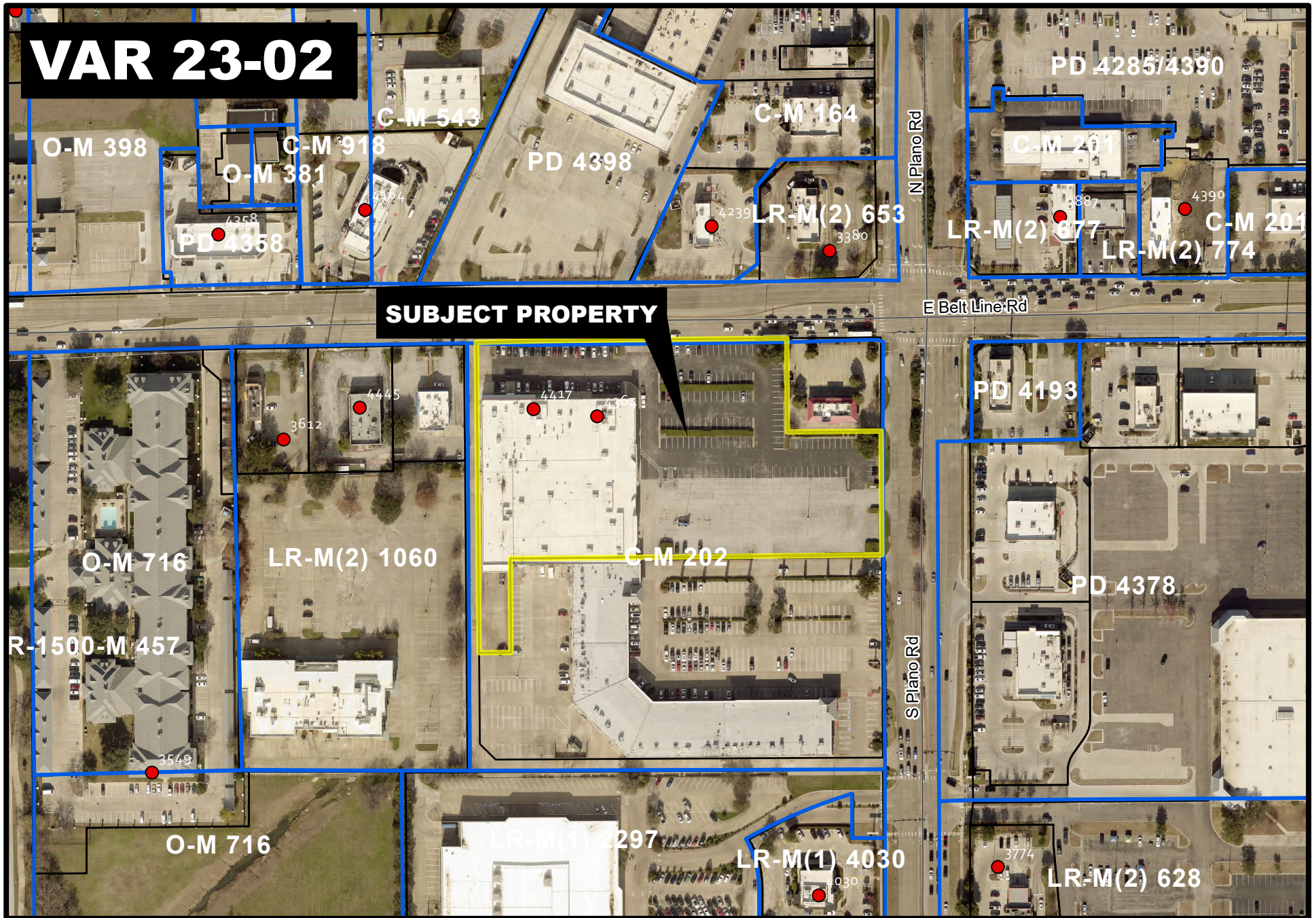
Based on the observations of occupied parking spaces recorded by the applicant, it appears the 306 provided parking spaces would be sufficient to accommodate the existing tenants and Pet Supplies Plus.

Correspondence: To date, staff has received one (1) letter from the property owner to the south requesting additional time to study the request.

Motion: On August 1, 2023, the City Plan Commission recommended approval of the variance request by a vote of 6-0 subject to the following conditions, which includes a condition added by the Commission modifying the limitation of the variance from a retail use to a pet sales and grooming use only:

1. A 31-space parking reduction shall be granted to accommodate a pet sales and grooming use within the lease space as shown on Exhibit "A".

VAR 23-02

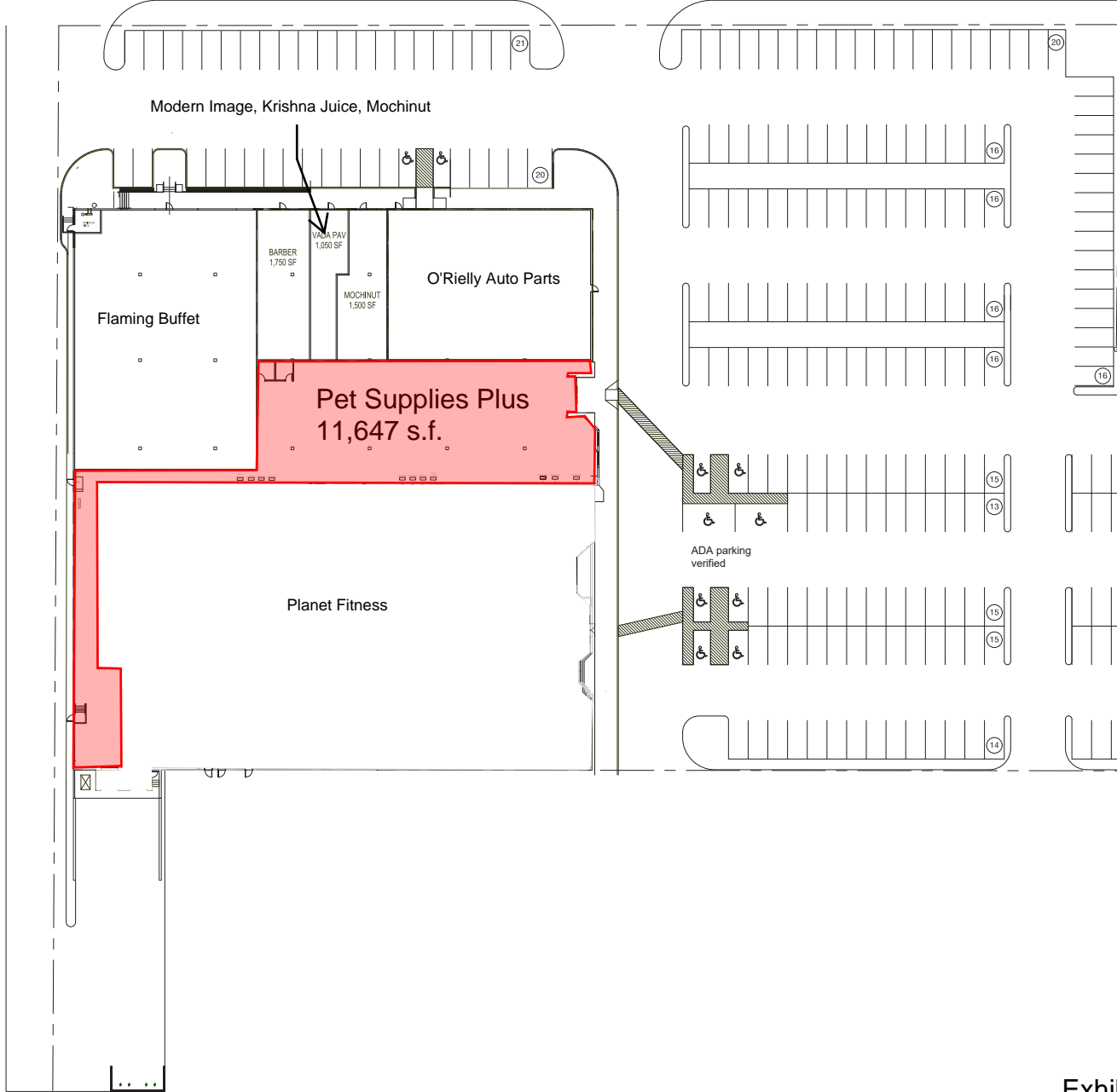


VAR 23-02 Aerial and Zoning Map 1300 E. Belt Line Rd

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.



RICHARDSON
TEXAS



Tenant	Building Area	Parking Ratio	Required Parking	Special Exceptions
Retail				
Pet Supplies Plus	11647			
O'Reilly Auto Parts	6846			
Modern Image (Salon Area)	1450			
Total	19943	Bldg >10,000 sf = 30 spaces plus 1/200 sf over 10,000 sf	80	
Salon Classroom				
Modern Image (Classroom Area)	300	1 space per 100 s.f.	3	
Restaurant				
Mochinut	1500			
Krishna Juice	1050			
Flaming Buffet	10269			
Total	12819	1 space per 100 s.f.	129	
Health Studio (Activity Area)				
Planet Fitness	18837	1 space per 100 s.f.	125	Includes 64 space reduction per VAR 22-01
Total Required			337	
Total Available			306	

Exhibit A - Variance Exhibit

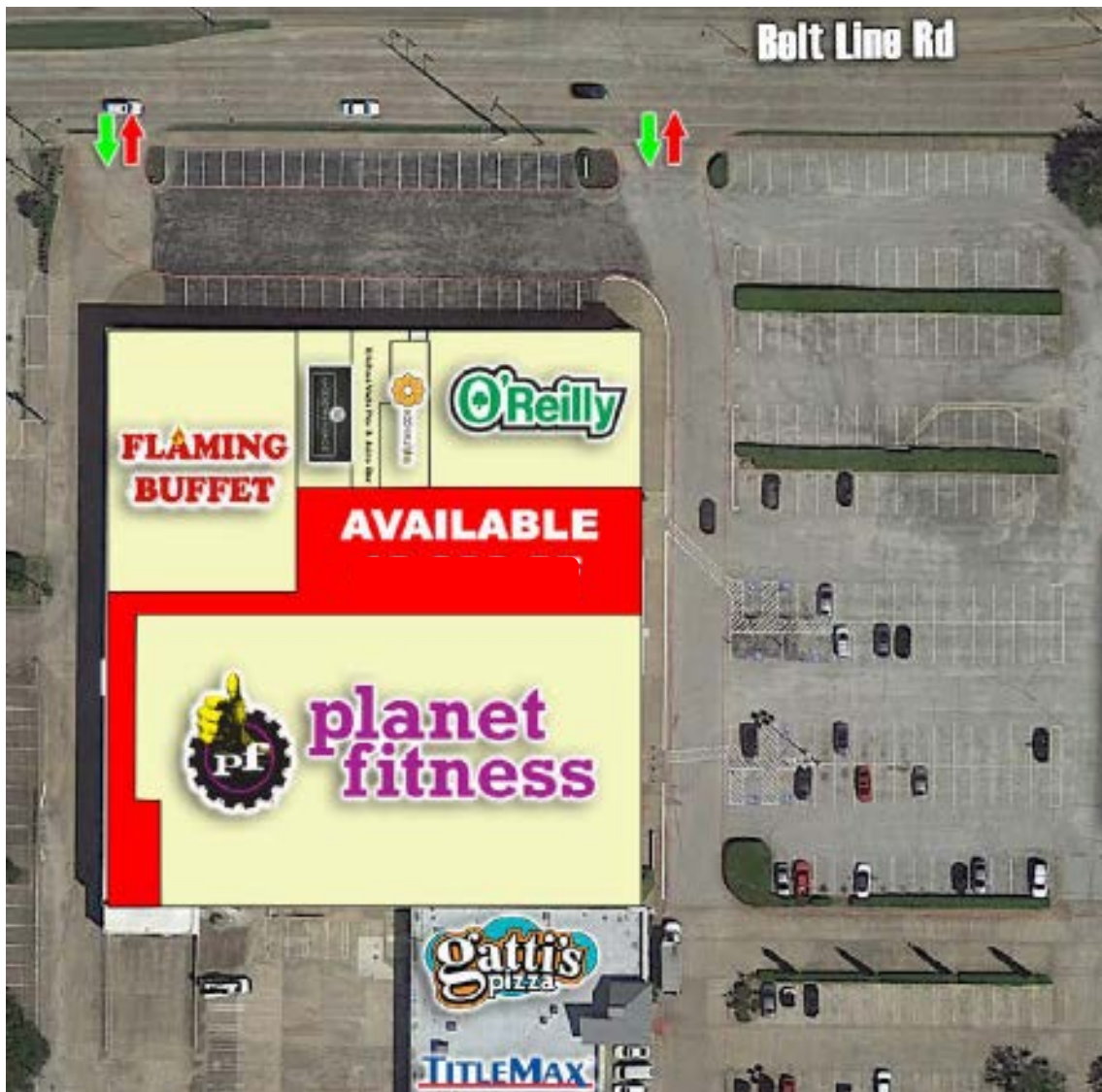




City of Richardson, Development Services

Attn: Dan L. Tracy, P.E., Assistant Director of Development Services

Project Location: The project site is located in the Richland Village Shopping Center at 1300 - 1306 E Belt Line Rd - Richardson, and is approximately 4.81-acres in size and is developed with a roughly 63,000 square foot shopping center building. There are currently six (6) tenants in the building, including three (3) restaurants, a health club (Planet Fitness), an automotive parts store, and a barber salon/barber school. Pet Supplies Plus is proposing to occupy the vacant 11,647 square foot space.



Pet Supplies Plus was founded in 1988 in Redford, Michigan and as of May 2023, had over 720 stores in 36 states. They sell a wide range of product for pets, provide grooming services, and a pet pharmacy. The hours of operation are 9 AM to 9 PM Monday through Saturday, and 10 AM to 6 PM on Sundays.

Request: This Variance application is being submitted on behalf of the owner/developer for a variance to the City of Richardson's Code of Ordinances, Appendix A, Article XXII-D, Sec. I(h)(l)(i), to allow a 31-space parking reduction for a pet supply store, Pet Supplies Plus. Pet Supplies Plus intends to occupy the vacant 11,647 square foot space most recently occupied by a furniture store.



The furniture store use has a different parking ratio than the retail sales/service use (which a pet supply store falls under); therefore, the proposed use increases the number of required parking spaces onsite (see below):

- c. Furniture, home furnishings, and appliance sales. One space per 500 square feet of building floor area.
- l. Retail sales and service facilities.
 - 1. Buildings of less than 10,000 square feet. One space per 333 square feet of building floor area.
 - 2. Buildings of 10,000 square feet or more. 30 spaces, plus one space per 200 square feet of building floor area in excess of 10,000 square feet.

The subject property provides a total of 306 parking spaces to be shared by all tenants, and including the proposed use, the site will require 373 parking space. However, on October 10, 2022, the Richardson City Council granted a parking variance for the same property for the new Planet Fitness. The approval allowed a 64-space parking reduction to accommodate the health club. Consequently, including the proposed pet supply store, the minimum number of required parking spaces on site is actually 337, thereby creating a 31-space parking deficiency.

Parking Table

	Sq. Ft.	Ratio	Spaces
Retail	19,943 sf	Bldg >10,000 sf = 30 spaces plus 1/200 sf over 10,000 sf	80
Restaurant	12,819 sf	100	129
Classroom	300 sf	100	3
Planet Fitness	18,857 sf (area to be parked)	125 total spaces per variance (64 space reduction)	125
		Total	337
		Available	306
		Deficiency	31

As part of this application, 15 AM and PM parking count observations have been provided, including weekday and weekend times (see below). The applicant has determined that the maximum need for parking spaces based on the findings below is 134 spaces (after work at Planet Fitness). Their intent was to provide parking counts during the anticipated peak hours for Planet Fitness and the lunch hour since the building also includes multiple restaurants. The observed parking counts conducted by the applicant are listed in the table below:

Date	Time	Number of Occupied Spaces	Number of Unoccupied Spaces
Tuesday, April 11 th	1:00 PM	59	247
Tuesday, April 11 th	6:30 PM	129	177
Wednesday, April 12 th	12:30 PM	74	232
Wednesday, April 12 th	6:30 PM	134	172
Saturday, April 15 th	12:15 PM	63	243
Thursday, May 18 th	12:30 PM	79	227
Monday, May 22 nd	1:00 PM	72	234
Thursday, May 25 th	12:15 PM	76	230
Sunday, May 28 th	12:30 PM	80	226
Wednesday, May 31 st	12:00 PM	67	239
Monday, June 12 th	6:30 PM	125	180
Friday, July 7 th	12:30 PM	85	221
Saturday July 8 th	5:40 PM	70	236
Saturday July 8 th	6:25 PM	84	222
Sunday July 9 th	6:30 PM	75	231

The parking observations indicate the AM peak hour for Planet Fitness does not coincide with the peak hour for the other tenants within the shopping center. Traditionally, peak days for attendance are Monday-Wednesday, with an average stay time of 45 minutes at this location. Member check-ins begin to tail off starting on Wednesday, and are extremely light Friday, Saturday, and Sunday. Peak hours are, 6:30 AM to 9:00 AM, and 4:30 PM to 8:00 PM through the week with very little weekend activity in the evenings which is highly beneficial for neighboring tenants that need parking on Weekends. Peak times for the fitness center were similar in number than lunch hour peak times.

Consequently, the maximum parking spaces required during peak hours as observed was 134 parking spaces. Based on the observed counts, it appears there would be a minimum of 172 extra parking spaces available at any time on-site. Based on the parking observations, a proposed maximum parking cap reduction for the site would be 100 parking spaces. This allows for a little buffer from the already approved 64-space reduction for Planet Fitness and the requested 31-space reduction for the current request.

The Applicant/Owner respectfully requests that the City of Richardson approve their variance request for parking based on the previous information. If you have any questions, please feel free to reach out to me anytime.

Respectfully,



Amy Mathews

Senior Consultant

E amy@masterplantexas.com

M 972-795-3426 P 214-389-2296

2201 Main St., Suite 1280, Dallas, TX 75201

masterplantexas.com

From: [REDACTED]
To: [Chris Shacklett](#); [Aaron Zilz](#)
Cc: [Don Magner](#)
Subject: Parking Variance hearing at the City Tues, Aug. 1
Date: Friday, July 28, 2023 12:02:36 PM

Gentlemen-as of when I'm writing this email, we've been unable to review the posted case on line. I greatly appreciate hearing of this from you, otherwise it would have come and gone without me knowing. As these two properties are adjacent to each other and share common entrances, cross access and many other aspects outlined in a common Agreement, in many ways they operate as the same property. Our side of it is in compliance with the existing parking ordinance. The other side seeks relief from the Ordinance. Does it have merit? Maybe. I've long been of the opinion that the Ordinance is a little heavy in its parking lot demands. Nevertheless, the building currently housing Planet Fitness, O'Reilly Auto parts and several restaurants and other food and beverage operations was originally built for one retail tenant-the H.J. Wilson Co. who later became Service Merchandise. The parking spaces at that time perfectly matched the Code-i.e. there were no excess spaces.

So now the mix is substantially different. At what point does the commercial activity exceed the provided spaces to be accommodated? At what point does the Planet Fitness property "poach" spaces from my ownership, and thus value-all without compensation? I don't have answers today. I wish I'd heard from the applicant some time ago. The tenant in question that I've heard of is attractive, I'd like to see them on the intersection if not on the joint site, BUT not to the detriment of my property. It also occurs to me that if I understand correctly, the variance would forever grant the PF property the right to park retail in that space. There's no assurance that the next tenant is not a heavy parking user. Likewise, the parking generated by PF will grow for at least the next two to three years before it levels off, meaning we don't know yet what the total daily generation of parking will look like.

I want to reflect on these matters more fully, visiting with my property management team, the property marketing team, etc. I ask that this Variance request be table to some near term future date to provide for our reflection. Thank you for your attention in this matter.

Dick Ferrell

Dick Ferrell & Co.

Mailing address:
11700 Preston Road
Suite 660, Box 551
Dallas, Tx 75230

[REDACTED]



RICHARDSON
TEXAS

MEMO

TO: Don Magner, City Manager
FROM: Haley Alsabrook, Management Analyst
Through: Kent Pfeil, Chief Financial Officer
DATE: August 24, 2023
SUBJECT: Repealing of Juvenile Curfew Ordinance

The 88th Texas Legislative Session, which kicked off on January 10, 2023, and adjourned sine die on May 29, 2023, resulted in the passage of House Bill 1819 which set out to repeal municipal authority to adopt or enforce juvenile curfews.

House Bill 1819, introduced by Texas Representative David Cook, was signed by Governor Abbott on June 9 and goes into effect on September 1, 2023. The bill prohibits political subdivisions, such as the City of Richardson, from enforcing an ordinance that imposes a curfew to regulate the actions of minors, except for purposes of emergency management.

The purpose behind H.B. 1819 are plentiful; one being that evidence shows juvenile curfew ordinances are an ineffective way to reduce crime. Additionally, results indicate juvenile curfews often result in adverse outcomes for youth in school and lead to future interactions with the justice system. Overall, H.B. 1819 strives to ensure all minors in the state of Texas have the opportunity to succeed without the burden of a criminal record early in life resulting from the enforcement of a juvenile curfew ordinance.

The City Attorney recommends the City of Richardson repeal the juvenile curfew ordinance to comply with House Bill 1819.

ORDINANCE NO. 4471

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, CHAPTER 13 “MISCELLANEOUS OFFENSES AND PROVISIONS” ARTICLE IV “OFFENSES INVOLVING PUBLIC MORALS” BY REPEALING SECTION 13-122 “CURFEW HOURS FOR MINORS”; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during its regular session, the 88th Texas Legislature approved House Bill 1819, which, among other things, amends the Texas Local Government Code effective September 1, 2023, by adding Section 370.007 which prohibits political subdivisions from adopting or enforcing an order, ordinance, or other measure that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age; and

WHEREAS, the City Council of the City of Richardson, Texas, finds it to be in the public interest to amend the Richardson Code of Ordinances to conform to state law by repealing the City’s juvenile curfew ordinance.

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

SECTION 1. That Chapter 13 “Miscellaneous Offenses and Provisions” Article IV “Offenses Involving Public Morals” Section 13-233 “Curfew Hours for Minors” of the Code of Ordinances of the City of Richardson, Texas, is repealed.

SECTION 2. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the City of Richardson, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 3. That should any article, paragraph, subdivision, clause or provision of this ordinance, or the Code of Ordinances of the City of Richardson, Texas, as hereby amended be adjudged or held invalid or unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so declared to be invalid or unconstitutional.

SECTION 4. That this ordinance shall take effect September 1, 2023, from and after its passage and publication in accordance with the provisions of the Charter of the City of Richardson, and it is accordingly so ordained.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 28th day of August 2023.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(kbl:8/7/2023:4865-2189-1445-v1)

CITY SECRETARY

Agenda Item Summary

Council Meeting Date:	Monday, August 28, 2023
Agenda Item:	Consider resolution approving the terms and conditions of an agreement to reimburse cost of furnishing traffic signal equipment at the intersection of Belt Line Road and US-75 to and between the City of Richardson, Texas, and the State of Texas, acting through the Texas Department of Transportation.
Staff Resource:	Mark Nelson, Director of Transportation and Mobility
Summary:	Staff recommends the City Council adopt a resolution approving a reimbursement agreement with TxDOT for material purchases related to traffic signal replacement at Belt Line Road and US-75 authorizing its execution by the City Manager.
City Council Strategic Goals:	<p>This agenda item helps further the following City Council Strategic Goals:</p> <ul style="list-style-type: none">• Ensure systems are safe and secure• Value, protect, and create a positive return on City, resident, and other stakeholder investments in the City• Leverage county, state, and federal opportunities• Leverage our regional leadership position to positively impact County, State and Federal issues
Background Information:	<p>In December 2021, TxDOT issued a call for projects for the Highway Safety Improvement Program (HSIP). HSIP is a federally mandated program managed by TxDOT whose main objective is to significantly reduce traffic fatalities and serious injuries on all major public roads. The program uses a data-driven, strategic, results-focused approach to improving highway safety. The City of Richardson was awarded funding for replacing the aging traffic signals at the Belt Line Road/US-75 Interchange and TxDOT is managing the design and construction of this project.</p>

In order to maintain compatibility with the City's overall traffic management system, the City will be furnishing certain critical traffic signal equipment (Cabinet, Controller, Battery Backup Unit, Detection System and Ethernet Communication Device) for this project. To get these costs reimbursed from TxDOT, the City must enter into an agreement with TxDOT. Attached to the resolution is the reimbursement agreement that will be executed by TxDOT upon receiving the adopted resolution.

Financial Implications:

The agreement will allow the City to recuperate the cost of specialized traffic signal equipment from TxDOT. No additional funding will be required as a result of this agreement.

RESOLUTION NO. 23-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE FURNISHING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY, BY AND BETWEEN THE STATE OF TEXAS, ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (“STATE”), AND THE CITY OF RICHARDSON (“CITY”), FOR TRAFFIC SIGNAL REIMBURSEMENT (“PROJECT”), PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State owns and maintains a system of highways and roadways, including US 75 at Belt Line Road; and

WHEREAS, the City has requested the State to reimburse the cost of furnishing traffic signal equipment at the intersection of US 75 at Belt Line Road (CSJ # 0047-07-246; the Traffic Signal Reimbursement Project); and

WHEREAS, the State and City wish to cooperate in the construction of this Project; and

WHEREAS, the City desires that equipment be provided that is compatible with standard signal operation or existing City equipment; and

WHEREAS, it is in the best interest of the City and the State for the City to assist the State by furnishing traffic signal equipment on the Project; and

WHEREAS, on August 27, 2020, the Texas Transportation Commission passed Minute Order No. 116292, approving the Project; and

WHEREAS, the Project has been designated as a federal-aid project and; therefore, the Agreement for the Furnishing of Traffic Signal Equipment by a Municipality shall be made in accordance with Federal Highway Administration (FHWA) procedures and regulations; and

WHEREAS, the State is authorized to enter into an agreement with the City for the Project pursuant to Texas Transportation Code §221.002;

WHEREAS, the City Council is of the opinion and finds that the City Manager should be authorized to negotiate and execute an Agreement for the Furnishing of Traffic Signal Equipment by a Municipality with the State of Texas, acting through the Texas Department of Transportation, on behalf of the City of Richardson;

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

SECTION 1. The City Manager, or designee, is hereby authorized to negotiate and execute the Agreement for the Furnishing of Traffic Signal Equipment by a Municipality, and

any amendments thereto, including any related instruments, on behalf of the City of Richardson, Texas, with the State of Texas, acting through the Texas Department of Transportation.

SECTION 2. 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 3. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

SECTION 4. 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 28th day of August 2023.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibit "A"
Agreement For the Furnishing of
Traffic Signal Equipment by a Municipality

(to be attached)

CSJ # 0047-07-246
District # DAL/18
Code Chart 64 #35200
Project: Traffic Signal
Reimbursement
Federal Highway Administration
CFDA No.20.205
Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

**AGREEMENT FOR THE FURNISHING OF
TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY**

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the “State,” and the City of Richardson called the “City,” acting through its duly authorized officers.

W I T N E S S E T H

WHEREAS, the State owns and maintains a system of highways and roadways, including US 75 at Belt Line Rd.; and

WHEREAS, the City has requested the State to reimburse the cost of furnishing traffic signal equipment at the intersection of US 75 at Belt Line Rd. called the “Project”; and

WHEREAS, the State and City wish to cooperate in the construction of this Project; and

WHEREAS, the City desires that equipment be provided that is compatible with standard signal operation or existing City equipment; and

WHEREAS, it is in the best interest of the City and the State for the City to assist the State by furnishing traffic signal equipment on the Project; and

WHEREAS, on August 27th, 2020, the Texas Transportation Commission passed Minute Order No. 116292, approving the Project; and

WHEREAS, the Governing Body of the City has approved entering into this Agreement by resolution dated August 28, 2023, labeled Attachment A, which is attached to and made a part of this Agreement; and

WHEREAS, the Project has been designated as a federal-aid project and; therefore, this Agreement shall be made in accordance with Federal Highway Administration (FHWA) procedures and regulations; and

WHEREAS, the State is authorized to enter into an Agreement with the City for the Project pursuant to Texas Transportation Code §221.002;

NOW THEREFORE, the State and the City agree as follows:

A G R E E M E N T

Article 1. Period of this Agreement

This Agreement becomes effective on final execution by both parties and shall remain in effect as long as the traffic signal equipment furnished by the City is in operation at the described location and the signal project is incomplete, or unless otherwise terminated or modified as provided below.

Article 2. Scope of Work

- A.** For all items of construction other than furnishing the traffic signal equipment, the State will prepare the construction plans and specifications, advertise for bids, let the construction contract or otherwise provide for the construction, and supervise the construction. The State will secure the City's approval of construction plans and specifications prior to award of contract.
- B.** The City shall furnish the traffic signal equipment as shown in the construction plans and specifications.

Article 3. Personnel, Equipment, and Material

- A.** All employees of the City assigned to this Agreement shall have sufficient knowledge and experience to enable them to perform the duties assigned to them.
- B.** The State may require the City to remove any employee from the work authorized in this Agreement if, in the sole opinion of the State, the work of that employee does not comply with this Agreement or the conduct of that employee is detrimental to the Project.
- C.** All materials used for the work shall be new and undepreciated.
- D.** Reimbursement for the use of materials purchased by other than competitive bid procedures will be made only if:
 - 1. Those procedures are shown to be in the public interest; and
 - 2. The State has given prior approval for the use of materials.
- E.** The City shall use City-owned machinery, equipment, and vehicles for the work. In the event that the City does not have the necessary machinery, equipment, and vehicles, they may be rented or leased at the lowest bid price of those submitted by two or more approved bidders.

Article 4. Compensation

- A.** The maximum amount reimbursable by the State to the City under this Agreement without modification is **\$59,800.00**. A cost estimate of the traffic signal equipment furnished by the City under this Agreement, labeled Attachment B, is attached to and made part of this Agreement.
- B.** The State will reimburse the City for costs incurred under this Agreement, provided the City has paid from City funds those obligations previously billed.
 - 1. The State will reimburse the City the cost of furnishing the traffic signal equipment as shown in the construction plans and specifications.

2. The State will reimburse the City for applicable labor, equipment use, materials, supplies, travel expenses, and warehouse or material handling charges.
 3. The State will not reimburse unsupported costs, costs incurred prior to the issuance of a written work order by the State, and costs incurred after final acceptance by the State.
 4. The State shall make payment to the City within thirty (30) days from the receipt of the City's request for payment contingent upon both:
 - a. The State's acceptance of the completed Project; and
 - b. The City's submission of an original and four copies of a request for payment:
 - 1) To the following address
Texas Department of Transportation
ATTN: Director of Operations
4777 E. Highway 80
Mesquite, TX 75150
 - 2) On the State's Form 132 Billing Statement or other type of invoice acceptable to the State; and
 - 3) That documents the work performed and materials used through descriptions, quantities, unit prices, and extensions.
- C.** The City shall be responsible for any funds determined to be ineligible for federal reimbursement, and shall reimburse the State the amount of those funds previously provided to it by the State.
- D.** If the City will perform any work under this Agreement for which reimbursement will be provided by or through the State, the City must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The City shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the City or an employee of a firm that has been contracted by the City to perform oversight of the Project. The State in its discretion may deny reimbursement if the City has not designated a qualified individual to oversee the Project.

Article 5. Insurance

If this Agreement authorizes the City or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

Article 6. Responsibilities of the Parties

The State and the City agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 7. Progress

- A. Communications.** The City shall confer with the State during the progress of the Project. The City shall prepare and present all information that is requested by the State or is necessary for the State to evaluate the work performed by the City.
- B. Reports.** The City shall promptly advise the State in writing of events that may have a significant effect on the progress of the Project.
 - 1. The City shall promptly advise the State in writing of any problems, delays, or adverse conditions that will materially affect the ability to meet scheduled goals. This disclosure will be accompanied by statement of the action taken or contemplated and any State or federal assistance needed to resolve the situation.
 - 2. The City shall also promptly advise the State in writing of favorable developments or events that enable meeting goals sooner than anticipated.

Article 8. Inspection of Work

- A.** The State shall make frequent and complete inspection of all materials, equipment, and work to determine and permit certification that:
 - 1. They are in suitable condition for operation and maintenance by the City after completion; and
 - 2. All applicable requirements of the plans and specifications are satisfied.
- B.** The City shall provide opportunities, facilities, and representative samples, as required by the State to perform the above inspections.
- C.** The State will promptly notify the City of any deficiencies determined by the above inspections and the City shall, without delay, take corrective action acceptable to the State.

Article 9. Maintenance, Retention, and Audit of Records

- A. Retention Period.** The City shall maintain all books, documents, papers, computer-generated files, accounting records, and all other evidence pertaining to costs incurred and work performed under this Agreement, and shall make those materials available at its office during the time period covered and for seven years from the date of final payment under this Agreement, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.
- B. Availability.** The State, FHWA, United States Department of Transportation and its Office of the Inspector General, State Auditor's Office, United States Comptroller General, and any of their authorized representatives shall have access to the records for the purpose of making audits, examinations, excerpts, and transcriptions.
- C. State Auditor.** The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this Agreement or indirectly through a

subcontract under this Agreement. Acceptance of funds directly under this Agreement or indirectly through a subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

D. Audit Timing. The State will prepare an audit:

1. Upon completion of the work authorized or early termination of the Agreement to determine the amount of the work performed and materials furnished by the City at that time; and
2. At any time it is deemed to be in the best interest of the State.

Article 10. Disputes

The State's decision on disputes regarding the responsibilities and obligations set forth in this Agreement shall be final and binding.

Article 11. Non-collusion

The City shall warrant that it has not employed or retained any company or person, other than a bona fide employee working for the City, to solicit or secure this Agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this Agreement. If the City breaches or violates this warranty, the State shall have the right to annul this Agreement without liability or, in its discretion, to deduct from the Agreement price or consideration, or otherwise recover the full amount of the fee, commission, brokerage fee, gift, or contingent fee.

Article 12. Termination and Remedies

A. Causes. This Agreement shall remain in effect until the project is completed and accepted by all parties, unless the Agreement is terminated by:

1. Written Agreement of the parties;
2. Written notice from either party because the other party did not fulfill its contractual obligations;
3. Written notice from the City, after the completion of preliminary engineering, specifications, and estimates, that it elects not to provide funding;
4. The State if the Project is inactive for thirty-six months or longer and no expenditures have been charged against federal funds; or
5. Thirty (30) days written notice from the State, with or without cause.

B. Payments Due After Termination.

1. If the State terminates this Agreement, the State shall not be liable for any costs other than those due at the time of termination.

2. If this Agreement is terminated under Article 12(A)(3) and the project does not proceed because of insufficient funds, the City shall reimburse the State for its reasonable actual costs incurred during the project.
3. If this Agreement is terminated under Article 12(A)(5), the City shall not incur costs during the thirty (30) days after notice is given if those costs are more than the costs incurred during the preceding thirty (30) days.

C. Value of Completed Work. The State shall determine the value of any work that has been performed at the time of termination. In determining the compensation for partial work, the State will consider

1. Actual costs incurred in performing the work to the date of termination;
2. The amount of work that was satisfactorily completed as of the date of termination;
3. The value of the work that is usable by the State;
4. The cost to the State of employing others to complete the required work;
5. The time required to employ others to complete the work; and
6. Any other factors that affect the value to the State of the work performed.

D. Payment of Additional Costs. If this Agreement is terminated under Article 12(A)(2), the State may take over the project and complete the work. The City shall be liable to the State for any additional costs to the State caused by the termination.

Whenever funds are paid by the City to the State under this Agreement, the City shall remit a check or warrant made payable to the "Texas Department of Transportation" or may use the State's Automated Clearing House system for electronic transfer of funds in accordance with instructions provided by TxDOT's Financial Management Division. The funds shall be deposited and managed by the State and may only be applied by the State to the project.

E. Excusable Delays. Except with respect to subcontractors, the City will not be considered in default for any failure that arises out of causes beyond the control and without the negligence of the City. These include acts of God or the public enemy, acts of the Government in its sovereign immunity or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather.

F. Surviving Requirements. Except for provisions that specifically establish responsibilities that extend beyond the Agreement period, termination and payment under this article extinguish the rights, duties, and obligations of the State and the City under this Agreement.

G. Remedies.

1. Any costs incurred by the State arising from the termination of this Agreement under Article 12(A)(2) or (3) shall be paid by the City.
2. This Agreement shall not be considered as specifying the exclusive remedy for any default, but all remedies existing at law and in equity may be pursued by either party and shall be cumulative.

Article 13. Compliance with Laws

A. Compliance Requirement. The parties shall comply with all applicable federal, state, and local laws, statutes, ordinances, rules, and regulations, and the orders and decrees of any

courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement, including worker's compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws, and licensing laws and regulations.

- B. Proof of Compliance.** At the request of the State, the City shall furnish satisfactory proof of its compliance with this article.

Article 14. Gratuities

- A. Employees Not To Benefit.** Employees of the State or the City shall not accept any benefits, gifts, or favors from any person doing business with, or who reasonably speaking may do business with the State or the City under this Agreement.
- B. Liability.** The State may terminate this Agreement if the City or any other person who is doing business with or who reasonably speaking may do business with the State under this Agreement offers benefits, gifts, or favors to State employees in violation of this policy.

Article 15. Subcontracting

- A. Prior Approval.** The City shall not assign, subcontract, or transfer services related to the work under this Agreement without the advance written approval of the State.
- B. Required Provisions.** All subcontracts shall include the provisions contained in this Agreement and any other provisions required by law.
- C. City Responsibilities.** A subcontract does not relieve the City of any responsibilities under this Agreement.

Article 16. Amendments to this Agreement

Any change to one or more of the terms and conditions of this Agreement shall not be valid unless made in writing and agreed to by the parties before the change is implemented.

Article 17. Legal Construction

If any provision in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement. In that case, this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

Article 18. Successors and Assigns

- A.** The City and the State bind themselves and their successors and assigns to each other party of this Agreement and to the successors and assigns to each other party with regard to all covenants of this Agreement.
- B.** The City shall not assign, subcontract, or otherwise transfer its interests in this Agreement without the written approval of the State.

Article 19. Sole Agreement

This Agreement constitutes the sole Agreement between the parties concerning the Project and supersedes any prior understandings or written or oral Agreements between the parties respecting the subject matter of this Agreement.

Article 20. Debarment Certification

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, the City certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a subcontract or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

Article 21. Civil Rights Compliance

- A. Compliance with Regulations:** The City will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
- B. Nondiscrimination:** The City, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the City for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the City of the City's obligations under this contract and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports:** The City will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City will so certify

to the State or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

- E. Sanctions for Noncompliance: In the event of the City's noncompliance with the Nondiscrimination provisions of this contract, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - 1. withholding of payments to the City under the contract until the City complies and/or
 - 2. cancelling, terminating, or suspending of the contract, in whole or in part.
- F. Incorporation of Provisions: The City will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The City will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the City becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the City may request the State to enter into such litigation to protect the interests of the State. In addition, the City may request the United States to enter into such litigation to protect the interests of the United States.

Article 22. Disadvantaged Business Enterprise (DBE) Program Requirements

- A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.
- B. The City shall adopt, in its totality, the State's federally approved DBE program.
- C. The City shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The City shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The City shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- E. The City shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The City shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the City of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the

matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).

- F. Each contract the City signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.*

Article 23. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in 49 CFR § 18.36 and with the property management standard established in 49 CFR § 18.32.

Article 24. Office of Management and Budget (OMB) Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

Article 25. Lobbying Certification

In executing this Agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative Agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative Agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative Agreements, the signatory for the City shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative Agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the

required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Article 26. Federal Funding Accountability and Transparency Act Requirements

- A.** Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This Agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>
- B.** The City agrees that it shall:
1. Obtain and provide to the State a Central Contracting Registry (CCR) number (Federal Acquisition Regulation, Part 4, Sub-part 4.1100) if this award provides for more than \$25,000 in Federal funding. The CCR number may be obtained by visiting the CCR web-site whose address is: <https://www.sam.gov/portal/public/SAM/>
 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five executives to the State if:
 - a. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - b. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

Article 27. Single Audit Report

- A.** The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR 200.
- B.** If threshold expenditures of \$750,000 or more are met during the City's fiscal year, the City must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division at singleaudits@txdot.gov.
- C.** If expenditures are less than \$750,000 during the City's fiscal year, the City must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D.** For each year the project remains open for federal funding expenditures, the City will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the Agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

Article 28. Notices

All notices to either party by the other under this Agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to the other party at the following addresses:

City	State
City of Richardson	Texas Department of Transportation
Attn: City Manager	Attn: Director of Operations
P.O. Box 830309	4777 E. Highway 80
Richardson, TX 75083	Mesquite, TX 75150

All notices shall be deemed given on the date delivered or deposited in the mail. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and the request shall be carried out by the other party.

Article 29. Pertinent Non-Discrimination Authorities

During the performance of this contract, the City, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A.** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B.** The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects).
- C.** Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D.** Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E.** The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F.** Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G.** The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid

recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not).

- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

CSJ # 0047-07-246
District # DAL/18
Code Chart 64 #35200
Project: Traffic Signal
Reimbursement
Federal Highway Administration
CFDA No.20.205
Not Research and Development

Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented. Each party is signing this Agreement on the date stated below that party's signature.

THE STATE OF TEXAS

Signature
Don Magner

Typed or Printed Name
City Manager

Typed or Printed Title

Date

THE STATE OF TEXAS

Signature
Ceason Clemons, P.E.

Typed or Printed Name
Dallas District Engineer

Typed or Printed Title

Date

CSJ # 0047-07-246
District # DAL/18
Code Chart 64 #35200
Project: Traffic Signal
Reimbursement
Federal Highway Administration
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**ATTACHMENT A
CITY RESOLUTION**

CSJ # 0047-07-246
District # DAL/18
Code Chart 64 #35200
Project: Traffic Signal
Reimbursement
Federal Highway Administration
CFDA No.20.205
Not Research and Development

ATTACHMENT B COST ESTIMATE

US 75 at Belt Line

CSJ 0047-07-246

Cabinet = \$20,000

Controller = \$3,300

BBU = \$5,000

Detection = \$30,000

Ethernet Comm. Device = \$1,500

Estimate Total = \$59,800

RESOLUTION NO. 23-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2023 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richardson, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about March 31, 2023, Atmos Mid-Tex filed its 2023 RRM rate request with ACSC Cities based on a test year ending December 31, 2022; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2023 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC’s counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$142 million on a system-wide basis with an Effective Date of October 1, 2023; and

WHEREAS, ACSC agrees that Atmos’ plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC’s reasonable expenses associated with RRM applications; and

WHEREAS, the RRM Tariff includes Securitization Interest Regulatory Asset amount of \$19.5 million;

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

SECTION 1. That the findings set forth in this Resolution are hereby in all things approved.

SECTION 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$142 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex’s 2023 RRM filing, is in the public interest, and is consistent with the City’s authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That despite finding Atmos Mid-Tex’s plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

SECTION 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$142 million on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

SECTION 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

SECTION 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2023 RRM filing.

SECTION 7. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 8. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

SECTION 9. 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 10. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining

provisions of this Resolution and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

SECTION 11. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2023.

DULY PASSED by the City Council of the City of Richardson, Texas, on this the 28th day of August 2023.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 22.25 per month
Rider CEE Surcharge	\$ 0.05 per month ¹
Total Customer Charge	\$ 22.30 per month
Commodity Charge – All Ccf	\$0.48567 per Ccf ²

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.

²The commodity charge includes the base rate amount of \$0.46724 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 72.00 per month
Rider CEE Surcharge	(\$ 0.02) per month ¹
Total Customer Charge	\$ 71.98 per month
Commodity Charge – All Ccf	\$ 0.18280 per Ccf ²

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at mdtx.plantprotection@atmosenergy.com.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.

²The commodity charge includes the base rate amount of \$0.16437 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 200 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 200 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.7484 per MMBtu ¹
Next 3,500 MMBtu	\$ 0.5963 per MMBtu ¹
All MMBtu over 5,000 MMBtu	\$ 0.2693 per MMBtu ¹

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees

¹ The tiered commodity charges include the base rate amounts of \$0.5684, \$0.4163, and \$0.0893 per MMBtu, respectively, plus Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.1800 per MMBtu until recovered.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at mdtx.plantprotection@atmosenergy.com.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.5684 per MMBtu
Next 3,500 MMBtu	\$ 0.4163 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0893 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Curtailed Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2023	

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	9.51	0.1415	88.91	0.7010
Austin	8.87	0.1213	213.30	0.7986
Dallas	12.54	0.2007	185.00	0.9984
Waco	8.81	0.1325	125.26	0.7313
Wichita Falls	10.36	0.1379	122.10	0.6083

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNA's factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description (a)	Shared Services		Mid-Tex Direct			Adjustment Total (g)
		Pension Account Plan (b)	Post-Employment Benefit Plan (c)	Pension Account Plan (d)	Post-Employment Benefit Plan (e)	Supplemental Executive Benefit Plan (f)	
1	Proposed Benefits Benchmark -						
	Fiscal Year 2023 Willis Towers Watson Report as adjusted (1) (2) (3)	\$ 1,434,339	\$ (518,336)	\$ 2,336,419	\$ (2,678,818)	\$ 267,917	
2	Allocation Factor	44.92%	44.92%	78.74%	78.74%	100.00%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 644,336	\$ (232,848)	\$ 1,839,667	\$ (2,109,267)	\$ 267,917	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4)	\$ 644,336	\$ (232,848)	\$ 1,839,667	\$ (2,109,267)	\$ 267,917	\$ 409,804
6							
7	O&M Expense Factor (WP_F-2.3, Ln 2)	78.60%	78.60%	39.63%	39.63%	11.00%	
8							
9	Summary of Costs to Approve (1):						
10	Total Pension Account Plan	\$ 506,464		\$ 729,006			\$ 1,235,469
11	Total Post-Employment Benefit Plan		\$ (183,024)		\$ (835,840)		(1,018,864)
12	Total Supplemental Executive Benefit Plan					\$ 29,471	29,471
13	Total (Ln 10 + Ln 11 + Ln 12)	\$ 506,464	\$ (183,024)	\$ 729,006	\$ (835,840)	\$ 29,471	\$ 246,076

RESOLUTION NO. 23-25

A RESOLUTION OF THE CITY OF RICHARDSON, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richardson, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities served by Oncor ("OCSC"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about June 29, 2023, Oncor filed with the City an Application to Amend its Distribution Cost Recovery Factor and Update Mobile Generation Riders, PUC Docket No. 55190, seeking to increase electric distribution rates by approximately \$152.78 million and update Oncor's Rider Mobile Generation and Rider Wholesale Mobile Generation to recover \$1.07 million related to mobile generation facilities; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, OCSC is coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, OCSC members and attorneys recommend that members deny the DCRF.

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

SECTION 1. That the City is authorized to participate with Cities in PUC Docket No. 55190.

SECTION 2. That subject to the right to terminate employment at any time, the City hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

SECTION 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

SECTION 4. That the Company shall continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to J. Michael Sherburne, Vice President – Regulatory, Oncor Electric Delivery Company LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202; to Tab R. Urbantke, Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202; and to Thomas L. Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

SECTION 8. 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 9. That this Resolution shall take effect immediately from and after its passage, and it is, accordingly, so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 28th day of August 2023.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY



RICHARDSON®
T E X A S

MEMO

DATE: August 21, 2023
TO: Keith Dagen – Director of Finance
FROM: Ally Dobbins – Purchasing Manager *AD*
SUBJECT: Award of Bid #57-23 for FY23 Sewer Pipe Rehabilitation to Horseshoe Construction, Inc. in the amount of \$1,530,220

Proposed Date of Award: August 28, 2023

I concur with the recommendation of Jim Dulac – Director of Engineering and Capital Projects, and request permission to award a contract to the lowest responsible bidder, Horseshoe Construction, Inc. for the above referenced project in the amount of \$1,530,220, as outlined in the attached memo.

Funding is from CMOM & Water and Sewer CO's.

The bid was advertised in *The Dallas Morning News* on June 8, 15 & 22, 2023 and posted on Periscope. A total of 17,777 electronic solicitations were distributed and forty-one (41) vendors viewed the bid. A pre-bid conference was held online via Cisco Webex on June 22, 2023, and one (1) bid was received.

Concur:





Keith Dagen

ATTACHMENTS



RICHARDSON
TEXAS

MEMO

TO: Ally Dobbins, Purchasing Manager
THROUGH: Charles Goff, Assistant City Manager 
FROM: Jim Dulac, P.E., Director of Engineering and Capital Projects 
SUBJECT: Permission to Award Construction Contract to Horseshoe Construction, Inc. for Bid No. 57-23.

COUNCIL DATE: August 28, 2023

DATE: August 11, 2023

ACTION REQUESTED:

Council to consider contract award to Horseshoe Construction, Inc. for the construction of FY23 Sewer Pipe Rehabilitation, in the amount of \$1,530,220.

BACKGROUND INFORMATION:

FY23 Sewer Pipe Rehabilitations Project calls for rehabilitating approximately 6,100 linear feet of existing sanitary sewer pipes to extend their service life. The project also includes adjustment of approximately 40 linear feet of existing water main at Ruth Young Park to meet separation requirements between the water line and existing sewer line in the immediate vicinity. The City of Richardson has an ongoing Capacity Management Operations and Maintenance (CMOM) program in which the City conducts self-audit to proactively review the current sewer system and determine where infrastructure improvements are needed. The pipe rehabilitations and associated manholes will reduce the inflow and infiltration in the system as well as extend the life of the system.

On 7/6/2023, the Engineering and Capital Projects Department opened bids for the FY23 Sewer Pipe Rehabilitation. The attached bid tabulation certifies the lowest responsive bid was submitted by Horseshoe Construction, Inc. in the amount of \$1,530,220. City staff recommends awarding contract to Horseshoe Construction, Inc. in the amount of \$1,530,220. Horseshoe Construction, Inc. has successfully completed several similar projects for municipalities in Texas.

FUNDING:

Funding is from FY23 CMOM Operational Funds and FY23 Water and Sewer Certificates of Obligations.

SCHEDULE:

Construction is expected to start in September 2023, and be complete by Winter 2024.

Attachments: Bid Tabulation
Project Map



FY23 Sewer Pipe Rehabilitation
BID No. 57-23
Engineers Estimate - \$1,258,848

Item	Description	Unit	Est. Qty.	Horseshoe Construction	
				Unit Price	Total
1	Mobilization	LS	1.00	\$50,000.00	\$ 50,000.00
2	8" Pipe Burst	LF	1771.00	\$115.00	\$ 203,665.00
3	6" Pipe Burst	LF	246.00	\$125.00	\$ 30,750.00
4	8" Point Repair (<20 ft)	ea	3.00	\$11,000.00	\$ 33,000.00
5	8" Pipe for additional Point Repair Length (>20 ft)	LF	100.00	\$100.00	\$ 10,000.00
6	8" CIPP	LF	4078.00	\$90.00	\$ 367,020.00
7	4" Wastewater Service Line	ea	155.00	\$2,500.00	\$ 387,500.00
8	4" wastewater Service Line additional length (>10ft)	LF	500.00	\$30.00	\$ 15,000.00
9	48-inch manhole (<6 feet)	ea	8.00	\$14,000.00	\$ 112,000.00
10	48-inch manhole additional depth (>6 feet)	VF	30.00	\$300.00	\$ 9,000.00
11	Manhole Frame and Cover	ea	2.00	\$3,000.00	\$ 6,000.00
12	Rehabilitation of Manholes per 33 01 30.81	VF	8.00	\$1,000.00	\$ 8,000.00
13	Post CCTV	LF	6095.00	\$3.00	\$ 18,285.00
14	12" DR 14 Waterline	LF	40.00	\$1,250.00	\$ 50,000.00
15	12" Gate Valve	ea	1.00	\$11,000.00	\$ 11,000.00
16	Cut and Plug existing 8"	ea	1.00	\$19,000.00	\$ 19,000.00
17	Traffic Control	LS	1.00	\$40,000.00	\$ 40,000.00
18	Construction Contingency	LS	1.00	\$160,000.00	\$ 160,000.00
TOTAL BASE BID:					\$ 1,530,220.00

Signed By:

7/13/23

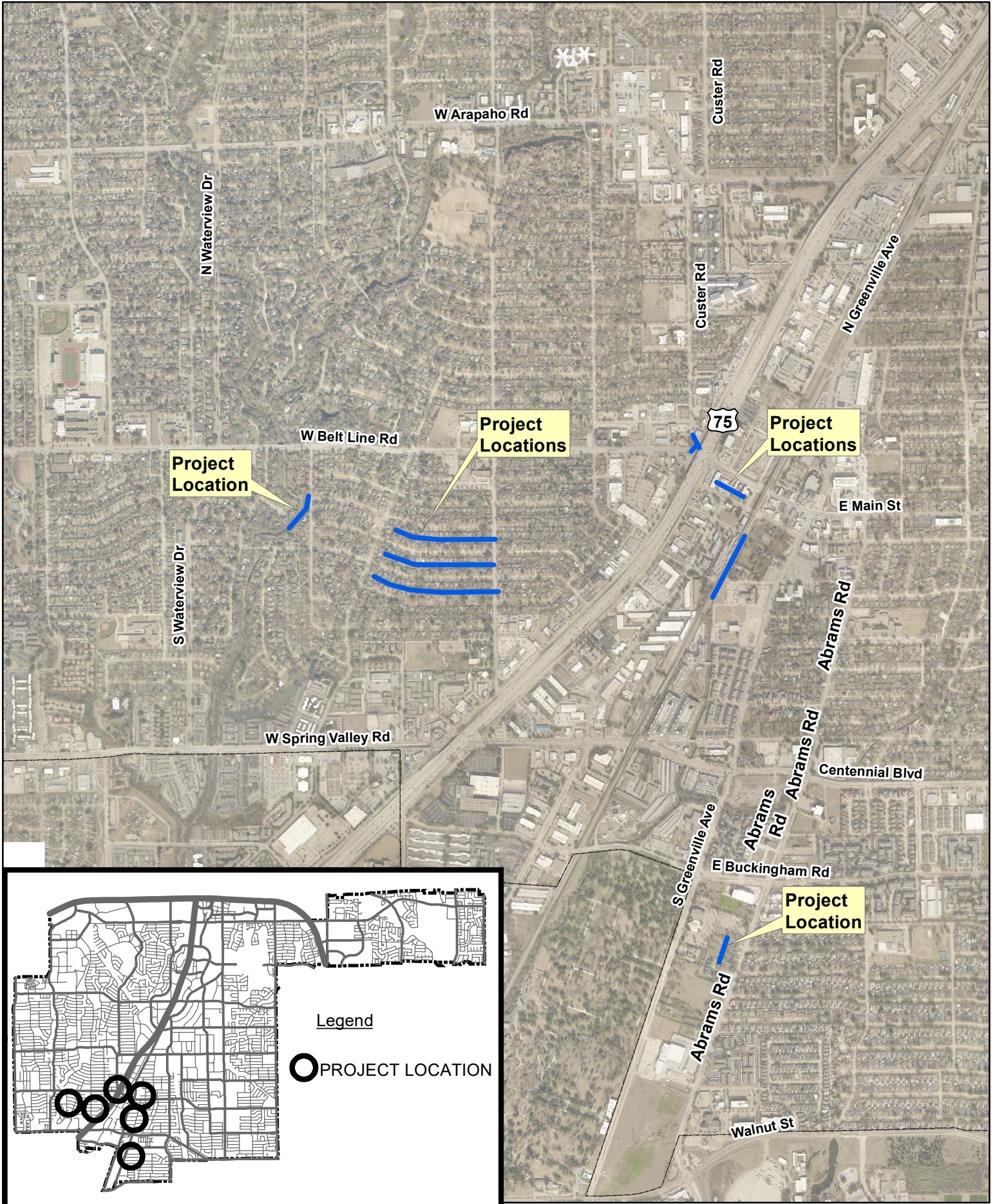
Gustave Michaud, Project Engineer

Approved By:

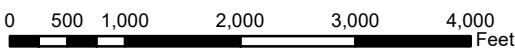
August 17, 2023

Jim Dulac, Director of Engineering & Capital Projects

FY23 SEWER PIPE REHABILITATION Bid # 57-23



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RICHARDSON
TEXAS



RICHARDSON®
T E X A S

MEMO

DATE: August 21, 2023
TO: Keith Dagen – Director of Finance
FROM: Ally Dobbins – Purchasing Manager 
SUBJECT: Award of Bid #75-23 for 2021 Bond Alley Reconstruction Group 1 to Muniz Construction, Inc. in the amount of \$1,785,635

Proposed Date of Award: August 28, 2023

I concur with the recommendation of Jim Dulac – Director of Engineering and Capital Projects, and request permission to award a contract to the lowest responsible bidder, Muniz Construction, Inc. for the above referenced project in the amount of \$1,785,635 as outlined in the attached memo.

Funding is from 2021 Bond Program.

The bid was advertised in *The Dallas Morning News* on June 21, 28 & July 5, 2023 and posted on Periscope. A total of 24,763 electronic solicitations were distributed and forty-five (45) vendors viewed the bid. A pre-bid conference was held online via Cisco Webex on July 7, 2023, and five (5) bids were received.



Concur:



Keith Dagen

ATTACHMENTS



TO: Lisa TerMorshuizen, Purchasing Supervisor
THROUGH: Charles Goff, Assistant City Manager 
FROM: Jim Dulac, P.E., Director of Engineering and Capital Projects 
SUBJECT: Permission to Award Construction Contract for 2021 Bond Alley Reconstruction Group 1, Bid No. 75-23

COUNCIL DATE: August 28, 2023

DATE: August 9, 2023

ACTION REQUESTED:

Council to consider contract award to Muniz Construction, Inc. for the construction of 2021 Bond Alley Reconstruction Group 1, in the amount of \$1,785,635.00.

BACKGROUND INFORMATION:

The 2021 Bond Alley Reconstruction Group 1 project calls for the reconstruction of the following 2021 Bond Program alleys:

North of 700 Block of Melrose Drive
North of 900 Block of Warfield Way
North of 900 Block of Wedgwood Way
West of 1200 Block of Hampshire Lane
Rockingham Drive – South of 600 Block of Nantucket Circle

This project entails removing and replacing alley pavement, sanitary sewer improvements, and other appurtenance as needed for the construction of the project.

On 7/25/2023, the Engineering and Capital Projects Department opened bids for the 2021 Bond Alley Reconstruction Group 1. The attached bid tabulation certifies the lowest responsive bid was submitted by Muniz Construction, Inc. in the amount of \$1,785,635.00. City staff recommends awarding contract to Muniz Construction, Inc. in the amount of \$1,785,635.00.

FUNDING:

Funding is from the 2021 Bond Program

SCHEDULE:

Construction is expected to start in September 2023, and be complete by May 2024

Attachments: Bid Tabulation
Project Map

2021 BOND ALLEY RECONSTRUCTION GROUP 1

BID NO. 75-23

Bids opened 7/25/2023



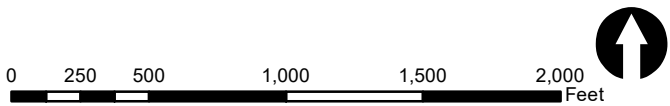
Item	Description	Quantity	Units	Muniz Construction, Inc		FNH Construction, LLC		Raffiff Hardscape, Ltd		2R Construction Services, LLC		Urban Construction		Averages	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
BASE BID															
1	Mobilization, Bonds, Insurance and all Permitting (entire project), complete, per unit	1	LS	\$ 65,000.00	\$ 65,000.00	\$ 200,000.00	\$ 200,000.00	\$ 131,250.00	\$ 131,250.00	\$ 255,000.00	\$ 255,000.00	\$ 150,000.00	\$ 150,000.00	\$ 160,250.00	\$ 160,250.00
2	All Traffic Control Measures, including all Barricading and Signage Measures, complete in place, per unit	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 85,000.00	\$ 85,000.00	\$ 20,250.00	\$ 20,250.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 43,050.00	\$ 43,050.00
3	Temporary Erosion Control, including Operational Control of SW3P, complete in place, per unit	1	LS	\$ 8,000.00	\$ 8,000.00	\$ 35,000.00	\$ 35,000.00	\$ 17,225.00	\$ 17,225.00	\$ 15,000.00	\$ 15,000.00	\$ 60,000.00	\$ 60,000.00	\$ 27,045.00	\$ 27,045.00
4	Sawcut, Remove and Dispose of Existing Concrete Sidewalk Pavement, including hauling and disposal, complete, per unit	120	SY	\$ 15.00	\$ 1,800.00	\$ 20.00	\$ 2,400.00	\$ 33.75	\$ 4,050.00	\$ 21.00	\$ 2,520.00	\$ 42.00	\$ 5,040.00	\$ 26.35	\$ 3,162.00
5	Sawcut, Remove and Dispose of Existing Concrete Curb and Gutter, including hauling and disposal, complete, per unit	120	LF	\$ 5.00	\$ 600.00	\$ 20.00	\$ 2,400.00	\$ 15.00	\$ 1,800.00	\$ 6.00	\$ 720.00	\$ 17.00	\$ 2,040.00	\$ 12.60	\$ 1,512.00
6	Sawcut, Remove and Dispose of Existing Concrete Pavement, including hauling and disposal, complete, per unit	5,300	SY	\$ 12.00	\$ 63,600.00	\$ 17.50	\$ 92,750.00	\$ 28.13	\$ 149,089.00	\$ 21.00	\$ 111,300.00	\$ 25.00	\$ 132,500.00	\$ 20.73	\$ 109,847.80
7	Remove and Dispose of Existing Sanitary Sewer Manhole, including all appurtenances, complete, per unit	5	LF	\$ 1,000.00	\$ 5,000.00	\$ 2,500.00	\$ 12,500.00	\$ 1,875.00	\$ 9,375.00	\$ 1,000.00	\$ 5,000.00	\$ 1,500.00	\$ 7,500.00	\$ 1,575.00	\$ 7,875.00
8	Remove and Dispose of Existing 12" VCT Sanitary Sewer Pipe, including all appurtenances, complete, per unit	650	LF	\$ 3.00	\$ 1,950.00	\$ 50.00	\$ 32,500.00	\$ 9.38	\$ 6,097.00	\$ 16.00	\$ 10,400.00	\$ 25.00	\$ 16,250.00	\$ 20.68	\$ 13,439.40
9	Remove and Dispose of Existing 8" VCT Sanitary Sewer Pipe, including all appurtenances, complete, per unit	2,280	LF	\$ 3.00	\$ 6,840.00	\$ 40.00	\$ 91,200.00	\$ 9.38	\$ 21,386.40	\$ 12.00	\$ 27,360.00	\$ 19.00	\$ 43,320.00	\$ 16.68	\$ 38,021.28
10	Remove and Dispose of Existing 4" Sanitary Sewer Service Line, including all appurtenances, complete, per unit	495	LF	\$ 3.00	\$ 1,485.00	\$ 30.00	\$ 14,850.00	\$ 6.25	\$ 3,093.75	\$ 9.00	\$ 4,455.00	\$ 15.00	\$ 7,425.00	\$ 12.65	\$ 6,261.75
11	Cut, Remove and Dispose of Existing Cleanout (plug ends), including all appurtenances, complete, per unit	4	EA	\$ 500.00	\$ 2,000.00	\$ 450.00	\$ 1,800.00	\$ 625.00	\$ 2,500.00	\$ 600.00	\$ 2,400.00	\$ 950.00	\$ 3,800.00	\$ 625.00	\$ 2,500.00
12	Unclassified Excavation, including hauling, placement and compaction at other locations on site, complete in place, per unit	1,500	CY	\$ 14.00	\$ 21,000.00	\$ 20.00	\$ 30,000.00	\$ 56.25	\$ 84,375.00	\$ 45.00	\$ 67,500.00	\$ 45.00	\$ 67,500.00	\$ 36.05	\$ 54,075.00
13	Place 6" 3600 PSI (Class 'C') Reinforced Concrete Alley Pavement, complete in place, per unit	5,775	SY	\$ 92.00	\$ 531,300.00	\$ 85.00	\$ 490,875.00	\$ 112.50	\$ 649,687.50	\$ 107.00	\$ 617,925.00	\$ 160.00	\$ 924,000.00	\$ 111.30	\$ 642,757.50
14	Place 6" 3600 PSI (Class 'C') Reinforced Concrete Driveway Pavement, complete in place, per unit	70	SY	\$ 98.00	\$ 6,860.00	\$ 85.00	\$ 5,950.00	\$ 93.75	\$ 6,562.50	\$ 89.00	\$ 6,230.00	\$ 180.00	\$ 12,600.00	\$ 109.15	\$ 7,640.50
15	Place 4" 3000 PSI (Class 'A') Reinforced Concrete Sidewalk, complete in place, per unit	100	SY	\$ 75.00	\$ 7,500.00	\$ 75.00	\$ 7,500.00	\$ 67.50	\$ 6,750.00	\$ 89.00	\$ 8,900.00	\$ 125.00	\$ 12,500.00	\$ 86.30	\$ 8,630.00
16	Construct 6" 3600 PSI (Class 'C') Reinforced Concrete Alley Curb, complete in place, per unit	1,000	LF	\$ 25.00	\$ 25,000.00	\$ 55.00	\$ 55,000.00	\$ 15.00	\$ 15,000.00	\$ 47.00	\$ 47,000.00	\$ 8.00	\$ 8,000.00	\$ 30.00	\$ 30,000.00
17	Remove and Replace Stone Landscape Wall, including all appurtenances, complete in place, per unit	15	LF	\$ 500.00	\$ 7,500.00	\$ 1,000.00	\$ 15,000.00	\$ 312.50	\$ 4,687.50	\$ 1,200.00	\$ 18,000.00	\$ 750.00	\$ 11,250.00	\$ 752.50	\$ 11,287.50
18	Bermuda Solid Sod, including 4" of top soil, complete in place, per unit	3,300	SY	\$ 18.00	\$ 59,400.00	\$ 16.00	\$ 52,800.00	\$ 12.50	\$ 41,250.00	\$ 18.00	\$ 59,400.00	\$ 24.00	\$ 79,200.00	\$ 17.70	\$ 58,410.00
19	Furnish and Install 15" SDR 26 PVC Sanitary Sewer Pipe, including embedment, complete in place, per unit	650	LF	\$ 180.00	\$ 117,000.00	\$ 125.00	\$ 81,250.00	\$ 187.50	\$ 121,875.00	\$ 212.00	\$ 137,800.00	\$ 370.00	\$ 240,500.00	\$ 214.90	\$ 139,685.00
20	Furnish and Install 8" SDR 35 PVC Sanitary Sewer Pipe, including embedment, complete in place, per unit	2,280	LF	\$ 98.00	\$ 223,440.00	\$ 85.00	\$ 193,800.00	\$ 118.75	\$ 270,750.00	\$ 145.35	\$ 331,398.00	\$ 260.00	\$ 592,800.00	\$ 141.42	\$ 322,437.60
21	Furnish and Install 6" SDR 35 PVC Service Pipe, including embedment, complete in place, per unit	20	LF	\$ 110.00	\$ 2,200.00	\$ 75.00	\$ 1,500.00	\$ 500.00	\$ 10,000.00	\$ 142.10	\$ 2,842.00	\$ 245.00	\$ 4,900.00	\$ 214.42	\$ 4,288.40
22	Furnish and Install 4" SDR 35 PVC Service Pipe, including embedment, complete in place, per unit	500	LF	\$ 60.00	\$ 30,000.00	\$ 65.00	\$ 32,500.00	\$ 375.00	\$ 187,500.00	\$ 135.00	\$ 67,500.00	\$ 200.00	\$ 100,000.00	\$ 167.00	\$ 83,500.00
23	Furnish and Install 4' Dia. Manhole with Offset Cone, complete in place, per unit	9	EA	\$ 13,000.00	\$ 117,000.00	\$ 12,500.00	\$ 112,500.00	\$ 14,375.00	\$ 129,375.00	\$ 4,500.00	\$ 40,500.00	\$ 7,000.00	\$ 63,000.00	\$ 10,275.00	\$ 92,475.00
24	Furnish and Install 5' Dia. Manhole, complete in place, per unit	1	EA	\$ 18,000.00	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00	\$ 18,750.00	\$ 18,750.00	\$ 10,000.00	\$ 10,000.00	\$ 17,000.00	\$ 17,000.00	\$ 15,750.00	\$ 15,750.00
25	Furnish and Install 5' Dia. Manhole with Drop Connection, complete in place, per unit	2	EA	\$ 22,000.00	\$ 44,000.00	\$ 15,000.00	\$ 30,000.00	\$ 21,250.00	\$ 42,500.00	\$ 11,500.00	\$ 23,000.00	\$ 20,000.00	\$ 40,000.00	\$ 17,950.00	\$ 35,900.00
26	Furnish and Install Double Cleanout and Connect to Existing, including all appurtenances, complete in place, per unit	64	EA	\$ 1,890.00	\$ 120,960.00	\$ 1,500.00	\$ 96,000.00	\$ 625.00	\$ 40,000.00	\$ 1,400.00	\$ 89,600.00	\$ 2,400.00	\$ 153,600.00	\$ 1,563.00	\$ 100,032.00
27	Connect to Existing Sanitary Sewer Pipe with Concrete Collar, complete in place, per unit	4	EA	\$ 1,100.00	\$ 4,400.00	\$ 1,500.00	\$ 6,000.00	\$ 1,250.00	\$ 5,000.00	\$ 1,500.00	\$ 6,000.00	\$ 2,400.00	\$ 9,600.00	\$ 1,550.00	\$ 6,200.00
28	Bypass Pumping, including all appurtenances, complete in place, per unit	3	EA	\$ 40,000.00	\$ 120,000.00	\$ 35,000.00	\$ 105,000.00	\$ 12,500.00	\$ 37,500.00	\$ 15,000.00	\$ 45,000.00	\$ 23,000.00	\$ 69,000.00	\$ 25,100.00	\$ 75,300.00
29	Furnish and Install 8" DR-18 (AWWA C900) Water Pipe, including embedment, complete in place, per unit	200	LF	\$ 105.00	\$ 21,000.00	\$ 85.00	\$ 17,000.00	\$ 125.00	\$ 25,000.00	\$ 156.00	\$ 31,200.00	\$ 270.00	\$ 54,000.00	\$ 148.20	\$ 29,640.00
30	Furnish and Install 8" Gate Valve, complete in place, per unit	2	EA	\$ 2,700.00	\$ 5,400.00	\$ 4,250.00	\$ 8,500.00	\$ 3,125.00	\$ 6,250.00	\$ 2,400.00	\$ 4,800.00	\$ 4,000.00	\$ 8,000.00	\$ 3,295.00	\$ 6,590.00
31	Furnish and Install 45-Deg. Bend (8"), complete in place, per unit	2	EA	\$ 500.00	\$ 1,000.00	\$ 1,500.00	\$ 3,000.00	\$ 625.00	\$ 1,250.00	\$ 850.00	\$ 1,700.00	\$ 1,500.00	\$ 3,000.00	\$ 995.00	\$ 1,990.00
32	Furnish and Install 30-Deg. Bend (8"), complete in place, per unit	1	EA	\$ 800.00	\$ 800.00	\$ 1,500.00	\$ 1,500.00	\$ 625.00	\$ 625.00	\$ 1,255.00	\$ 1,255.00	\$ 2,000.00	\$ 2,000.00	\$ 1,236.00	\$ 1,236.00
33	Furnish and Install 8"x8" Cut-In Tee, complete in place, per unit	1	EA	\$ 2,100.00	\$ 2,100.00	\$ 2,000.00	\$ 2,000.00	\$ 625.00	\$ 625.00	\$ 5,000.00	\$ 5,000.00	\$ 9,000.00	\$ 9,000.00	\$ 3,745.00	\$ 3,745.00
34	Furnish and Install 8"x6" Reducers, complete in place, per unit	2	EA	\$ 2,100.00	\$ 4,200.00	\$ 2,500.00	\$ 5,000.00	\$ 625.00	\$ 1,250.00	\$ 3,500.00	\$ 7,000.00	\$ 6,000.00	\$ 12,000.00	\$ 2,945.00	\$ 5,890.00
35	Cut Out Existing 8" Water Pipe and Connect to Existing Water Pipe, complete in place, per unit	2	EA	\$ 2,500.00	\$ 5,000.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 2,500.00	\$ 5,000.00	\$ 4,000.00	\$ 8,000.00	\$ 3,300.00	\$ 6,600.00
36	Cut and Plug Existing 8" Water Pipe, complete in place, per unit	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 2,500.00	\$ 2,500.00	\$ 1,250.00	\$ 1,250.00	\$ 1,500.00	\$ 1,500.00	\$ 2,200.00	\$ 2,200.00	\$ 1,790.00	\$ 1,790.00
37	Water Line Testing, complete, per unit	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 8,500.00	\$ 8,500.00	\$ 1,875.00	\$ 1,875.00	\$ 2,000.00	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00	\$ 4,075.00	\$ 4,075.00
38	Sanitary Sewer Testing, complete, per unit	1	LS	\$ 8,000.00	\$ 8,000.00	\$ 15,000.00	\$ 15,000.00	\$ 12,500.00	\$ 12,500.00	\$ 20,000.00	\$ 20,000.00	\$ 33,000.00	\$ 33,000.00	\$ 17,700.00	\$ 17,700.00
39	Post Inspection Video for Sanitary Sewer, complete, per unit	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 11,500.00	\$ 11,500.00	\$ 12,500.00	\$ 12,500.00	\$ 8,000.00	\$ 8,000.00	\$ 15,000.00	\$ 15,000.00	\$ 10,400.00	\$ 10,400.00
40	Trench Safety Systems, complete in place, per unit	3,650	LF	\$ 2.00	\$ 7,300.00	\$ 5.00	\$ 18,250.00	\$ 9.38	\$ 34,237.00	\$ 5.00	\$ 18,250.00	\$ 7.00	\$ 25,550.00	\$ 5.68	\$ 20,717.40
41	Capital Project Signs, complete in place, per unit	5	EA	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 1,250.00	\$ 6,250.00	\$ 1,000.00	\$ 5,000.00	\$ 750.00	\$ 3,750.00	\$ 1,200.00	\$ 6,000.00
42	Construction Contingency to be Used at the Discretion of the City of Richardson, complete, per unit	1	LS	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00
Total Base Bid:				\$ 1,785,635.00		\$ 2,096,325.00		\$ 2,241,290.65		\$ 2,263,455.00		\$ 3,151,825.00		\$ 2,307,706.13	
Contractor's Submitted Bid Totals:				SAME		SAME		SAME		SAME		SAME		SAME	

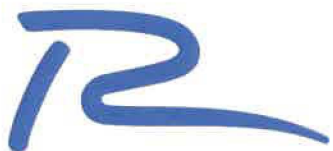

 August 17, 2023
 Jim Dulac, P.E., Director of Engineering & Capital Projects

2021 Bond Alley Reconstruction Group 1 (Melrose, Warfield, Wedgewood, Hampshire, & Rockingham)



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RICHARDSON®
T E X A S

MEMO

DATE: August 21, 2023
TO: Keith Dagen – Director of Finance
FROM: Ally Dobbins – Purchasing Manager *AD*
SUBJECT: Award of Bid #77-23 for 2021 Bond Alley Reconstruction Group 3 (Chapel Creek CT & Canyon Creek Dr) to Candor Builders, LLC in the amount of \$418,959

Proposed Date of Award: August 28, 2023

I concur with the recommendation of Jim Dulac – Director of Engineering and Capital Projects, and request permission to award a contract to the lowest responsible bidder, Candor Builders, LLC for the above referenced project in the amount of \$418,959 as outlined in the attached memo.

Funding is from 2021 Bond Program.

The bid was advertised in *The Dallas Morning News* on June 22, 29 & July 6, 2023 and posted on Periscope. A total of 12,199 electronic solicitations were distributed and twenty-five (25) vendors viewed the bid. A pre-bid conference was held online via Cisco Webex on July 6, 2023, and two (2) bids were received.

Concur:





Keith Dagen

ATTACHMENTS



RICHARDSON
T E X A S

MEMO

TO: Ally Dobbins, Purchasing Manager
THROUGH: Charles Goff, Assistant City Manager 
FROM: Jim Dulac, P.E., Director of Engineering and Capital Projects 
SUBJECT: Permission to Award Construction Contract to Candor Builders, LLC for Bid No. 77-23.
COUNCIL DATE: August 28, 2023
DATE: August 11, 2023

ACTION REQUESTED:

Council to consider contract award to Candor Builders, LLC for the construction of the 2021 Bond Alley Reconstruction Group 3 (Chapel Creek CT & Canyon Creek Dr.) project, in the amount of \$418,959.

BACKGROUND INFORMATION:

The 2021 Bond Alley Reconstruction Group 3 project calls for the reconstruction of the following 2021 Bond Program alleys:

- North of 1100 Block of Chapel Creek Ct.
- South of 2400 Block of Skyview Dr.

On 7/20/2023, the Engineering and Capital Projects Department opened bids for the 2021 Bond Alley Reconstruction Group 3 (Chapel Creek CT & Canyon Creek Dr.) Project. The attached bid tabulation certifies the lowest responsive bid was submitted by Candor Builders, LLC in the amount of \$418,959. City staff recommends awarding contract to Candor Builders, LLC in the amount of \$418,959. They have successfully completed several similar projects for municipalities in Texas within the last 5 years including City of Sachse, and City of Desoto.

FUNDING:

Funding is from the 2021 Bond Program.

SCHEDULE:

Construction is expected to start in September 2023, and be complete by Winter 2024.

Attachments: Bid Tabulation
Project Map



PROJECT NAME & BID No. 77-23

Engineers Estimate - \$451,000

2021 Bond Alley Group 3 (Chapel Creek CT & Canyon Creek CT)

Item	Description	Unit	Est. Qty.	Candor Builders, LLC		CI Pavement		Averages	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	LS	1.00	\$49,440.00	\$ 49,440.00	\$41,400.00	\$ 41,400.00	\$45,420.00	\$45,420.00
2	Construction Staking	STA	12.00	\$989.00	\$ 11,868.00	\$500.00	\$ 6,000.00	\$744.50	\$8,934.00
3	Project Signs Furnish & Install	ea	2.00	\$742.00	\$ 1,484.00	\$500.00	\$ 1,000.00	\$621.00	\$1,242.00
4	Barricades, Signs and Traffic Handlings	LS	1.00	\$6,180.00	\$ 6,180.00	\$4,600.00	\$ 4,600.00	\$5,390.00	\$5,390.00
5	Erosion Control (SWPPP)	LS	1.00	\$3,090.00	\$ 3,090.00	\$2,500.00	\$ 2,500.00	\$2,795.00	\$2,795.00
6	Embankment	CY	10.00	\$49.00	\$ 490.00	\$200.00	\$ 2,000.00	\$124.50	\$1,245.00
7	Sod & Topsoil	SY	700.00	\$10.00	\$ 7,000.00	\$19.50	\$ 13,650.00	\$14.75	\$10,325.00
8	Unclassified Street Excavation	CY	325.00	\$35.00	\$ 11,375.00	\$31.50	\$ 10,237.50	\$33.25	\$10,806.25
9	Remove Concrete Pavement	SY	1590.00	\$22.00	\$ 34,980.00	\$31.50	\$ 50,085.00	\$26.75	\$42,532.50
10	Remove concrete Sidewalk	SY	30.00	\$19.00	\$ 570.00	\$29.25	\$ 877.50	\$24.13	\$723.75
11	Remove and Salvage Existing Sign	ea	1.00	\$309.00	\$ 309.00	\$250.00	\$ 250.00	\$279.50	\$279.50
12	Concrete Pavement (Reinf)(Alley)	SY	1700.00	\$105.00	\$ 178,500.00	\$129.94	\$ 220,895.00	\$117.47	\$199,697.50
13	Concrete Pavement (Reinf)(6")(Driveway)	SY	255.00	\$89.00	\$ 22,695.00	\$117.00	\$ 29,835.00	\$103.00	\$26,265.00
14	Sidewalk pavement (4") w/ Sand Cushion (2")	LF	30.00	\$93.00	\$ 2,790.00	\$135.00	\$ 4,050.00	\$114.00	\$3,420.00
15	Compacted Base	SY	2050.00	\$16.00	\$ 32,800.00	\$9.00	\$ 18,450.00	\$12.50	\$25,625.00
16	Monolithic Curb	SY	85.00	\$10.00	\$ 850.00	\$50.00	\$ 4,250.00	\$30.00	\$2,550.00
17	Concrete riprap (4")	LF	50.00	\$93.00	\$ 4,650.00	\$120.00	\$ 6,000.00	\$106.50	\$5,325.00
18	Work on Private Property & Driveways	LS	1.00	\$9,888.00	\$ 9,888.00	\$15.00	\$ 15.00	\$4,951.50	\$4,951.50
39	Construction Contingency	LS	1.00	\$40,000.00	\$ 40,000.00	\$40,000.00	\$ 40,000.00	\$40,000.00	\$40,000.00
TOTAL BASE BID:					\$ 418,959.00		\$ 456,095.00		\$ 437,527.00
CONTRACTOR'S SUBMITTED BID TOTALS					\$ 418,959.00		\$ 456,095.00		

Signed By:

7/21/23

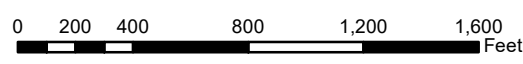
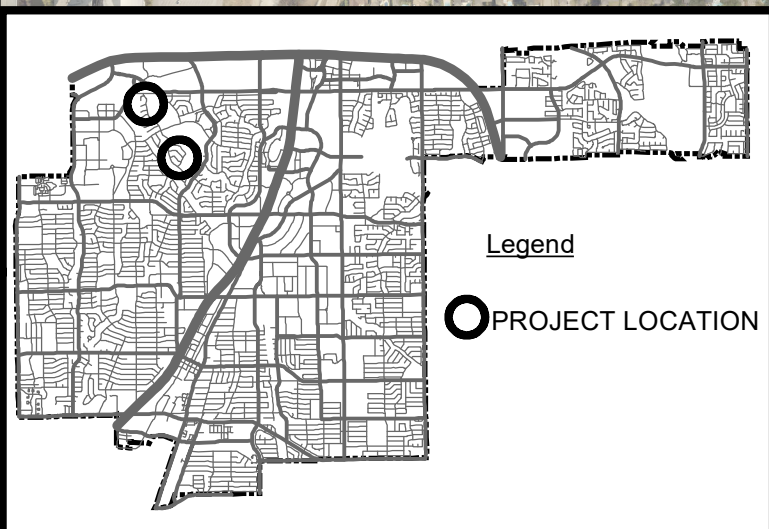
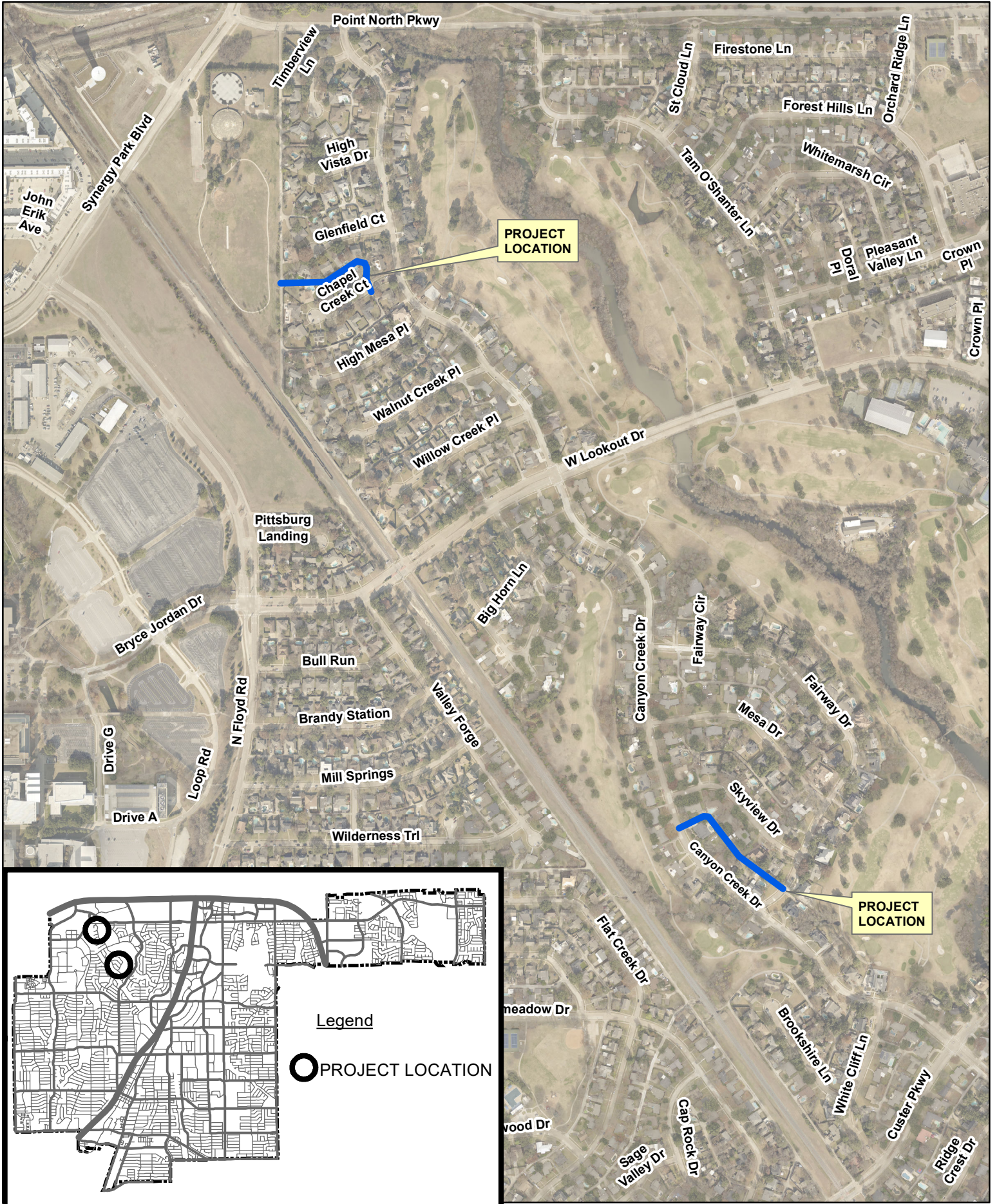
Gustave Michaud, Project Engineer

Approved By:

August 17, 2023

Jim Dulac, Director of Engineering & Capital Projects

2021 Bond Alley Reconstruction Group 3
(Chapel Creek CT. & Canyon Creek Dr.)




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RICHARDSON®
T E X A S

MEMO

DATE: August 21, 2023
TO: Keith Dagen – Director of Finance
FROM: Ally Dobbins – Purchasing Manager 
SUBJECT: Award of Bid #86-23 for Cottonwood Park Pedestrian Bridge Improvements to Dean Construction in the amount of \$410,917

Proposed Date of Award: August 28, 2023

I concur with the recommendation of Yvonne Falgout – Director of Parks and Recreation, and request permission to award a contract to the lowest responsible bidder, Dean Construction for the above referenced project in the amount of \$410,917 as outlined in the attached memo.

Funding is from Parks Maintenance Fund.

The bid was advertised in *The Dallas Morning News* on July 3, 10 & 17, 2023 and posted on Periscope. A total of 7,647 electronic solicitations were distributed and forty-three (43) vendors viewed the bid. A pre-bid conference was held online via Cisco Webex on July 17, 2023, and seven (7) bids were received.

Concur:



Keith Dagen

ATTACHMENTS



RICHARDSON, TX

PARKS & RECREATION

MEMORANDUM

TO: Ally Dobbins, Purchasing Manager

THROUGH: Michaela Dollar, Assistant City Manager *MDollar*

FROM: Yvonne Falgout, Director of Parks and Recreation *YF*
Yvonne Falgout (Aug 8, 2023 20:47 CDT)

DATE: August 18, 2023

RE: Permission to Award- Cottonwood Park Pedestrian Bridge Improvements
Bid# 86-23

ACTION REQUESTED:

Council to consider award of Bid # 86-23 for the Cottonwood Park Pedestrian Bridge Improvements to Dean Construction in the amount of \$410,917,00.

BACKGROUND INFORMATION:

Cottonwood Park Pedestrian Bridge Improvements will construct a new, elevated pedestrian bridge at the South end of the pond at Cottonwood Park, replacing the current trail crossing across the pond. The current crossing is very near to the surface of the pond, and frequently is inundated when we experience heavy rainfall events. This leaves mud and debris on the trail and caught in the guardrail, which is unsafe and unsightly for park patrons. The new bridge will have a span of approximately 120 feet and will provide for an enhanced experience for trail users.

On July 27, 2023, the Purchasing Division opened bids for the referenced project. The attached bid tabulation certifies that the lowest responsive bidder was submitted by Dean Construction in the amount of \$410,917.00. City staff recommends awarding this contract to Dean Construction.

FUNDING:

Funding is from the Park Maintenance Fund, and is allocated to project # MF2203

SCHEDULE:

This project is expected to begin construction in October of 2023 and be completed by May 2024.

ITEM NO.	DESCRIPTION	UNIT	BID TOTAL	Dean Construction		Homerun LLC		Northstar Construction		Green Scaping LP		2L Construction		Ratliff Hardscape		Capko Concrete Structures	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Mobilization, Bonds, Insurance and all Permitting	L.S.	1	\$17,866.00	\$17,866.00	\$20,750.00	\$20,750.00	\$20,800.00	\$20,800.00	\$19,000.00	\$19,000.00	\$45,000.00	\$45,000.00	\$33,750.00	\$33,750.00	\$30,000.00	\$30,000.00
2	All Traffic Control Measures	L.S.	1	\$1,765.00	\$1,765.00	\$3,250.00	\$3,250.00	\$1,500.00	\$1,500.00	\$900.00	\$900.00	\$6,500.00	\$6,500.00	\$3,750.00	\$3,750.00	\$2,500.00	\$2,500.00
3	Temporary Erosion Control	L.S.	1	\$4,540.00	\$4,540.00	\$3,250.00	\$3,250.00	\$6,000.00	\$6,000.00	\$8,490.00	\$8,490.00	\$6,500.00	\$6,500.00	\$6,875.00	\$6,875.00	\$5,000.00	\$5,000.00
4	Temporary Orange Fencing for Tree Protection	EA.	9	\$134.00	\$1,206.00	\$200.00	\$1,800.00	\$125.00	\$1,125.00	\$250.00	\$2,250.00	\$200.00	\$1,800.00	\$313.00	\$2,817.00	\$300.00	\$2,700.00
5	S,R.&D Exist. Concrete Sidewalk Pavement	S.Y.	212	\$35.00	\$7,420.00	\$31.50	\$6,678.00	\$21.00	\$4,452.00	\$18.00	\$3,816.00	\$35.00	\$7,420.00	\$34.00	\$7,208.00	\$40.00	\$8,480.00
6	R&R Exist. Pedestrian Light Standard	EA.	1	\$1,890.00	\$1,890.00	\$1,870.00	\$1,870.00	\$2,000.00	\$2,000.00	\$4,800.00	\$4,800.00	\$11,000.00	\$11,000.00	\$3,742.00	\$3,742.00	\$10,000.00	\$10,000.00
7	Remove Exist. Steel Ped. Railing	L.F.	114	\$4.50	\$513.00	\$12.00	\$1,368.00	\$8.00	\$912.00	\$15.00	\$1,710.00	\$20.00	\$2,280.00	\$25.00	\$2,850.00	\$10.00	\$1,140.00
8	Unclassified Excavation	C.Y.	10	\$30.00	\$300.00	\$12.00	\$120.00	\$72.00	\$720.00	\$70.00	\$700.00	\$70.00	\$700.00	\$50.00	\$500.00	\$250.00	\$2,500.00
9	Borrow Material	C.Y.	145	\$23.00	\$3,335.00	\$35.86	\$5,199.70	\$67.00	\$9,715.00	\$105.00	\$15,225.00	\$100.00	\$14,500.00	\$63.00	\$9,135.00	\$100.00	\$14,500.00
10	Place 6" 3000 PSI (Class 'A') Rein. Conc. Sidewalk	S.Y.	150	\$61.40	\$9,210.00	\$72.00	\$10,800.00	\$84.00	\$12,600.00	\$112.00	\$16,800.00	\$110.00	\$16,500.00	\$79.00	\$11,850.00	\$326.00	\$48,900.00
11	Steel Truss Pedestrian Bridge (10' wide)	L.F.	120	\$1,907.00	\$228,840.00	\$2,138.00	\$256,560.00	\$2,200.00	\$264,000.00	\$1,886.00	\$226,320.00	\$2,000.00	\$240,000.00	\$2,482.00	\$297,840.00	\$3,000.00	\$360,000.00
12	3000 PSI Rein. Conc. Piers (18" dia.)	V.F.	60	\$186.00	\$11,160.00	\$68.00	\$4,080.00	\$236.00	\$14,160.00	\$290.00	\$17,400.00	\$175.00	\$10,500.00	\$138.00	\$8,280.00	\$500.00	\$30,000.00
13	3000 PSI Rein. Conc. Piers (24" dia.)	V.F.	120	\$145.00	\$17,400.00	\$78.00	\$9,360.00	\$295.00	\$35,400.00	\$370.00	\$44,400.00	\$250.00	\$30,000.00	\$169.00	\$20,280.00	\$550.00	\$66,000.00
14	3600 PSI Rein. Conc. for Abutments and Wingwalls	C.Y.	40	\$1,000.00	\$40,000.00	\$1,656.25	\$66,250.00	\$945.00	\$37,800.00	\$1,080.00	\$43,200.00	\$1,150.00	\$46,000.00	\$2,292.00	\$91,680.00	\$1,200.00	\$48,000.00
15	42" Tall Ped. Railing (Galv.), per TxDOT PRD-13 (Ty C)	L.F.	48	\$220.00	\$10,560.00	\$158.00	\$7,584.00	\$150.00	\$7,200.00	\$160.00	\$7,680.00	\$350.00	\$16,800.00	\$188.00	\$9,024.00	\$225.00	\$10,800.00
16	Bermuda Solid Sod, including 4" of top soil	S.Y.	3,000	\$7.00	\$21,000.00	\$0.75	\$2,250.00	\$8.00	\$24,000.00	\$13.00	\$39,000.00	\$15.00	\$45,000.00	\$8.50	\$25,500.00	\$20.00	\$60,000.00
17	Temporary 6' Chain Link Fencing	L.F.	678	\$4.00	\$2,712.00	\$5.00	\$3,390.00	\$4.00	\$2,712.00	\$8.00	\$5,424.00	\$12.00	\$8,136.00	\$12.00	\$8,136.00	\$11.00	\$7,458.00
18	Project Sign	EA.	1	\$1,200.00	\$1,200.00	\$950.00	\$950.00	\$675.00	\$675.00	\$800.00	\$800.00	\$1,000.00	\$1,000.00	\$1,875.00	\$1,875.00	\$1,000.00	\$1,000.00
19	Construction Contingency	L.S.	1	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
BASE BID TOTALS:					\$410,917.00		\$435,509.70		\$475,771.00		\$487,915.00		\$539,636.00		\$575,092.00		\$738,978.00



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T E X A S

MEMO

DATE: August 21, 2023
TO: Keith Dagen – Director of Finance
FROM: Ally Dobbins – Purchasing Manager *AD*
SUBJECT: Award of Bid #89-23 for Annual Requirements Contract for Water & Wastewater Materials to Core & Main, Ferguson Waterworks, and North Texas Winwater pursuant to unit prices

Proposed Date of Award: August 28, 2023

I concur with the recommendation of Brad Due – Utility Systems Superintendent, and request permission to issue annual requirements contracts for water & wastewater materials to Core & Main, Ferguson Waterworks, North Texas Winwater, pursuant to the attached unit prices.

The bid was separated into nine (9) categories as shown below. A primary, secondary, and tertiary vendor is recommended for award in each of categories.

Category	Description	Primary	Secondary	Tertiary
1	Brass Parts	Core & Main	North Texas Winwater	Ferguson Waterworks
2	Water Pipes & Fittings	North Texas Winwater	Core & Main	Ferguson Waterworks
3	Sewer Parts	North Texas Winwater	Ferguson Waterworks	Core & Main
4	Fire Hydrants	Ferguson Waterworks	North Texas Winwater	Core & Main
5	Manholes & Valves Boxes	North Texas Winwater	Core & Main	Ferguson Waterworks
6	Clamps & Saddles	Ferguson Waterworks	North Texas Winwater	Core & Main
7	Valves	Ferguson Waterworks	Core & Main	North Texas Winwater
8	Meter Boxes & Lids	Core & Main	Ferguson Waterworks	North Texas Winwater
9	Auto Flusher	North Texas Winwater	Core & Main	Ferguson Waterworks



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The term of the contracts are for one (1) year with options to renew for up to four (4) additional one-year periods, if exercised and mutually agreed upon by both parties. The award of these contracts allows the city to purchase water & wastewater materials as the requirements and needs of the city arise on an annual basis and during any subsequent renewal period(s). Since the city is not obligated to pay for a minimum or maximum amount of goods, payment will be rendered pursuant to the unit prices specified.

City staff estimates annual expenditures to be approximately \$225,000. Funding is from Water and Sewer operating funds.

The bid was advertised in *The Dallas Morning News* on June 20 & 27, 2023 and posted on Periscope. A total of 1,214 electronic solicitations were distributed and twenty-eight (28) vendors viewed the bid. A pre-bid conference was held on July 11, 2023, and three (3) bids.

Concur:


Keith Dagen

ATTACHMENTS



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TEXAS

MEMO

DATE: August 18, 2023
TO: Ally Dobbins, Purchasing Manager
FROM: Brad Due, Utility Systems Superintendent 
SUBJECT: Award of Bid #89-23 Annual Requirements Contract for Water and Wastewater Materials

After review of the bids received, the Public Services Department would like to seek City Council approval to award Bid #89-23 A/R/C for Water and Wastewater Materials to the following vendors: Core & Main, Ferguson Waterworks, and North Texas Winwater. The city has utilized all three (3) vendors previously and staff are confident that each vendor is able to meet the city's needs for this contract.

This bid has been separated into nine (9) categories due to the number of line items in the bid. Due to material availability and lead time experienced recently, a primary, secondary, and tertiary vendor is recommended for award of each category. The breakdown of primary, secondary, and tertiary vendors for each category is shown on the following page.

Public Services estimates spending approximately \$225,000 annually. Funding will come from Water and Sewer Fund Operating Budget.

Cc: Eric Robison, Director of Public Services
Brad Bernhard, Assistant Director of Public Services



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MEMO

CATEGORY 1 - BRASS PARTS	
Primary Vendor:	CORE & MAIN
Secondary Vendor:	NORTH TEXAS WINWATER
Tertiary Vendor:	FERGUSON WATERWORKS
CATEGORY 2 - WATER PIPE & FITTINGS	
Primary Vendor:	NORTH TEXAS WINWATER
Secondary Vendor:	CORE & MAIN
Tertiary Vendor:	FERGUSON WATERWORKS
CATEGORY 3 - SEWER PARTS	
Primary Vendor:	NORTH TEXAS WINWATER
Secondary Vendor:	FERGUSON WATERWORKS
Tertiary Vendor:	CORE & MAIN
CATEGORY 4- FIRE HYDRANTS	
Primary Vendor:	FERGUSON WATERWORKS
Secondary Vendor:	NORTH TEXAS WINWATER
Tertiary Vendor:	CORE & MAIN
CATEGORY 5- MANHOLES & VALVE BOXES	
Primary Vendor:	NORTH TEXAS WINWATER
Secondary Vendor:	CORE & MAIN
Tertiary Vendor:	FERGUSON WATERWORKS
CATEGORY 6- CLAMPS & SADDLES	
Primary Vendor:	FERGUSON WATERWORKS
Secondary Vendor:	NORTH TEXAS WINWATER
Tertiary Vendor:	CORE & MAIN
CATEGORY 7- VALVES	
Primary Vendor:	FERGUSON WATERWORKS
Secondary Vendor:	CORE & MAIN
Tertiary Vendor:	NORTH TEXAS WINWATER
CATEGORY 8- METER BOXES & LIDS	
Primary Vendor:	CORE & MAIN
Secondary Vendor:	FERGUSON WATERWORKS
Tertiary Vendor:	NORTH TEXAS WINWATER
CATEGORY 9 - AUTO FLUSHER	
Primary Vendor:	NORTH TEXAS WINWATER
Secondary Vendor:	CORE & MAIN
Tertiary Vendor:	FERGUSON WATERWORKS



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T E X A S

MEMO

DATE: August 21, 2023
TO: Keith Dagen – Director of Finance
FROM: Ally Dobbins – Purchasing Manager *AD*
SUBJECT: Award of Bid #105-23 for Cooperative Contract for Abatement Services for 302 Pittman St to Daltex Pro Facility Services, LLC, through City of Plano Bid #2023-0151-AC

Proposed Date of Award: August 28, 2023

I concur with the recommendation of Lindsay Turman – Community Services Administrator, and request permission to award a contract to for abatement services for 302 Pittman St to Daltex Pro Facility Services, LLC pursuant to unit prices in City of Plano Bid #2023-0151-AC.

The City of Plano competitively bid an annual requirements contract for the above services on bid #2023-0151-AC, which was awarded by its City Council on May 31, 2023. The initial contract began on May 31, 2023 for a term of one (1) year with options to renew for up to three (3) additional one-year periods.

The City of Richardson and the City of Plano have an existing interlocal agreement for cooperative purchasing, which grants us the authority to cooperatively purchase goods and services as provided by Texas Government Code Chapter 791.025 and Texas Local Government Code Chapter 271.102. This interlocal agreement renews annually unless terminated by either party with thirty (30) days written notice.

City staff estimates to spend \$100,000 on this project. Funding is available in account 0110-02-15-700-000-553499.


Concur:

Keith Dagen

ATTACHMENTS

DATE: August 17, 2023

TO: Ally Dobbins, Purchasing Manager

THROUGH: Charles Goff, Assistant City Manager 

FROM: Lindsay Turman, Community Services Administrator

SUBJECT: *Daltex Pro Facility Services, LLC, Vendor Number 11480*

On May 17, 2023, the Richardson Building and Standards Commission ordered that the trash, debris, and open storage in the front and rear yards of 302 Pittman Street be removed should the property owner fail to complete this work. The property owner did not complete the assigned work in the designated time.

On August 2, 2023, staff completed the necessary removal in the front yard and was able to assess the condition of open storage in the rear yard. On August 19, 2023, a portion of the trash, debris, and storage in the rear yard caught fire along with the fence screening the rear yard from Greenville Avenue, further warranting the expeditious removal of waste. The estimated cost of abating the remaining issues at 302 Pittman Street exceeds the amount of the current contract with Daltex Pro Facility Services, LLC (current VN: 11480).

Community Services recommends awarding a formal contract to Daltex Pro Facility Services utilizing the City of Plano Contract #2023-0151-AC to provide labor, supervision, materials, and equipment needed to abate code violations.

Staff estimate spending up to \$100,000 abating this Building and Standards Commission case. This will be funded from account number 0110-02-15-700-000-553499.