

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AGENDA
MONDAY, OCTOBER 15, 2012

• **Call to Order**

Mayor Townsend called the meeting to order at 6:01 p.m. with the following Council members present:

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

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Aimee Nemer	City Secretary
Steve Spanos	Director of Engineering
Jim Dulac	Assistant City Engineer
Paul Naussuer	Park Planner

A. Visitors

Celia Pope, Aissa Torres, and Lauren Kettenhofen, representatives from Girl Scout Troop 1699, addressed Council to discuss their project to earn the Silver Award. They explained the project is titled Laying Down Roots and involves the planting of 12 trees in the yards of senior citizen homes. They also explained that the project will count towards the City's initiative of Tree the Town.

B. Review and Discuss the Floyd Branch Drainage Improvements Project Overview

Staff Comments

Jim Dulac, Assistant City Engineer, gave a background of the Floyd Branch Drainage System, reviewed the drainage improvements project and construction schedule, and how the construction impact will be minimized.

Background

- The drainage system is severely undersized with less than a 10-year storm capacity in several areas
- Upgrading the drainage system to accommodate storm water runoff from the upper reaches of the watershed requires significant capital expenditures

- Drainage system deficiencies are an obstacle to development throughout Floyd Branch basin especially the Main Street and Central Corridor Study Area
- Freese & Nichols completed a drainage system master plan Floyd Branch in 2007
- Recommended improvements to provide 100-year storm capacity through phased implementation plan
- The central corridor plan consisted of bridge, culvert, channel and storm drain improvements from US75 at Greer St to Centennial Blvd west of Greenville Ave

Floyd Branch Drainage Improvements Project and the Construction Schedule

- Plans completed Fall 2011
- Project bid and contract awarded to North Texas Contracting Spring 2012
- Coordinated final easements and performed value engineering Summer 2012
- Construction starts Fall 2012 with Completion expected Spring 2014
- Phillips Bridge: November 2012 – January 2013
- Storm Drainage Line:
 - Kaufman to Main Street November 2012 – May 2013
 - Crossing Main Street May 2013 – July 2013
 - Main Street to Greer August 2013 – February 2014
 - Main Street to US75 NBFR October 2013 – December 2013
 - Landscaping and clean up February 2014 – March 2014

Construction Impact Minimized

- Design altered during value engineering:
 - Allow multiple box configuration to be installed one alignment at a time – 12’ wide trench instead of 50’ wide trench.
 - Eliminated Junction Box in Main Street median
- Parking and access to adjacent businesses
 - Coordinating directly with property owners most impacted
 - Providing temporary parking as required
- Crossing Main Street
 - 2 lanes are required to remain open in each direction during peak traffic hours
 - Night time construction
- Round pipe used on section adjacent to Bank up to Greer instead of box culvert to expedite installation
- Any changes affecting utility service or access to property requires two week notification unless an emergency circumstance arises
- Arrow Boards and Message Signs will be used to inform traffic of construction activity
- Construction Meetings will be held weekly as needed throughout construction to facilitate communication and adherence to schedule and contract requirements

Council Comments

Councilmember Mitchell stated that he wanted to ensure that the City is very business-conscious throughout the project.

Councilmember Omar inquired about open water drainage areas being used aesthetically in the downtown area. Dan Johnson, City Manager, explained that the project would not preclude future use, but the hydrology may not be appropriate.

Mr. Johnson further explained that the City is very sensitive to the traffic impact and will be coordinating the project very carefully.

C. Review and Discuss the New Park on Weatherred Drive

Staff Comments

David Morgan, Deputy City Manager reviewed the project history, design concept, park features, budget, and next steps:

2010

- City Parks System Master Plan Completed
- Bond Allocates Funds for Neighborhood Park
- Public Meeting
- End of Block Concept Explored & Confirmed
- Interior of Neighborhood Explored & Confirmed
- Park Program Explored & Confirmed

2011

- Public Meeting Follow-up
- Concept Refinement for End of Block
- Begin Search for Appropriate Land Acquisition
- Land Acquisition Completed

Spring 2012

- Site Survey & Re-Plat
- Design Update & Budget Confirmation
- Community Input – Public Meeting
- Park and Recreation Commission Presentation
- City Council update and project input

Summer 2012

- Design Development plans confirmed and finalized
- Construction Documents preparation

Fall 2012

- Seek authorization to advertise for bid

Studio Outside – Design Concept

- Heritage Neighborhood
- Mid Century Modern Aesthetic
- Streetscape Geometric Relationships
- Integrity of Community Experience

- Butterfly Garden
- Focus on features with input from public

Budget

Land Acquisition: \$782,000

Design/Survey/Engineering: \$107,500

Park Development:

- Demolition & Abatement: \$ 96,000
- Sitework & Hardscape: \$161,000
- Pavilion: \$ 96,000
- Playground: \$ 80,000
- Landscape & Irrigation: \$ 59,000 Total Project: \$1,455,000.00 Add alternates:
- Trellis: \$95,000
- Pavilion metal roof: \$10,000
- Site furniture upgrades: \$6,000
- Integral color concrete at main lawn walk: \$3,000
- Native grass planting beds: \$8,000
- Additional decomposed granite trail segment: \$ 3,000

Status / Next Steps

October 22, 2012

- City Council to consider authorization to advertise for competitive sealed proposals

November 8, 2012

- Competitive Sealed Proposals opened November 26, 2012
- City Council to consider award contract December 17, 2012
- Project begins construction May 15, 2013
- Estimated project construction complete

Council Comments

Councilmember Dunn asked if the open lawn will be flat. Mr. Morgan responded that it will be. He also explained that the open area is not very large and there would not be any other amenities such as soccer goals in the open area.

Councilmember Solomon asked if the park would be irrigated. Mr. Morgan stated it would be irrigated. Mr. Solomon also asked if the perimeter sidewalk would be sloped. Mr. Naussuer, Park Planner, stated that all of the sidewalks would be ADA (American Disability Act) compliant.

There was some Council discussion regarding parking and Council concluded that the parking was adequate. Mr. Morgan stated it would be monitored.

Council discussed the add-alternates and the priority of the items. There was a consensus of Council to prioritize the trellis and the roof upgrade.

Councilmember Omar commented on using this park as an opportunity to showcase a park with drought-resistant landscaping. He also commented that the City should engage the Environmental and Art Commissions on future park projects.

Councilmember Solomon commented that City Staff and the Park Commission attend many classes on xeriscaping and implement what they learn whenever possible.

Mayor Pro Tem Maczka stated that her preference on the add-alternatives would be to prioritize the items that need to be added with the initial project construction.

D. Review and Discuss the Central Trail Update

Staff Comments

Deputy City Manager David Morgan reviewed the following:

Park, Recreation, and Transportation Trail-Way Master Plan

- Parks, Recreation, and Open Space Master Plan (PROSMP) adopted in 2010
- Included the PROSMP is the Park, Recreation, and Transportation Trail-Way Master Plan
- Trails were identified in the PROSMP as the “number one” facility citizens seek for exercise or recreation
- Central Trail (South)
- Central Trail emerged from City/DART partnership to use DART ROW rail corridor for connecting trails
- Existing Central Trail stops at Arapaho Rd/DART Station
- Master Plan seeks full city extension, then southern connection to Dallas
- Important linkage with TIF redevelopment projects

Central Trail (South)

- 1.9 Miles, concrete multi-use trail, 10' wide
- Funding:
- Dallas County \$2.5M
- City of Richardson 2010 Bond \$1.5M
- Total Funding \$4 Million

Project Status

- Construction Documents are 100% complete.
- Dallas County & DART have reviewed the construction and bid documents
- Anticipate bidding this project October 22, 2012

Central Trail (South) Schedule

- October 22, 2012 – Seek authorization to advertise for competitive sealed proposal
- November 16, 2012 - Open bids
- December 10, 2012 – City Council to consider awarding contract

- January 15, 2013 - Project to begin construction
- January 15, 2014 – Estimated project completion

Richardson Trails Summary

- Richardson has 27.0 miles of existing multi-use trails and 13 miles of walking trails within neighborhood parks.
- The Central Trail is an important step in regionalism, community connection, alternate forms of transportation, and increasing recreational opportunities and will begin construction at the end of the year.
- We want to thank Dallas County for supporting Richardson Trails as a valued partner.
- Seek partners for trail projects for funding, easements, and regional connections.

Council Comments

Councilmember Solomon asked if the existing barrier poles could be removed at the DART site. Mr. Johnson stated that staff would work with DART on this issue.

Councilmember Mitchell wanted to ensure that staff is working with Commissioner Cantrell as well as keeping Commissioner Dickey updated. Mr. Morgan stated that City staff is communicating with the Commissioners.

There was some Council discussion regarding the width of the trails and the trail connection with Plano and Dallas. Council also discussed using the trail system for 5K runs to highlight the City's trail system. Mr. Morgan explained that the trails are 10 foot in width which is consistent with Plano and Dallas. He also stated that the City would encourage trail use for runs whenever possible.

E. Review and Discuss the Code of Ethics Ordinance Renewal

Staff Comments

David Morgan, Deputy City Manager reviewed the background, current status, ethical standards, additional standards, various features of the ordinance, and next steps.

Background

- Establishment of a Council Code of Ethics in 2009-2011 City Council Near Term Action items.
- Code of Ethics adopted September 27, 2010.
- Applies to City Council and Board & Commission members with a separate Ethics Policy for city employees.

Current Status

- Provides ongoing guidance for city officials.
- No complaints submitted.
- Renewal of the ordinance required after September 27, 2012.

Ethical Standards

- No Officer of the City or relative thereof shall:
 - Have a financial interest in the sale of land to the City
 - Ownership interest greater than 10%
 - Participate in a vote or decision on any matter in which the officer has a substantial interest
 - Request or appear on behalf of private interests (excluding HOA representation)
 - Accept any gift that might influence decision making (see prohibitions)
 - Use official position to secure special privileges or benefits
 - Grant special consideration, treatment or advantage to any citizen
 - Disclose confidential information
 - Engage in outside activities which will conflict with the person's official position and/or duties
 - Use City supplies, personnel, property, equipment or facilities for any purpose other than official City business

Additional Standards

- May not vote on any funding request for a nonprofit in which the person is a board member.
- May not appear on own behalf before City Council, City board, commission, or committee.
- No member of the City Council, City Plan Commission or Board of Adjustment shall participate in, or vote on, any land use matter in which such officer has a substantial interest in any real property within 200 feet of the real property, the subject of the land use matter.

Disclosure of Substantial Interest

- File an affidavit stating nature and extent of substantial interest prior to discussion of item by Council, board or commission.
- Officer must also abstain from participation in such a matter.

Features of Complaints Against Officers

- Written complaint, sworn to before a notary public, shall be filed with the City Secretary's Office.
 - Must describe details of complaint
 - Anonymous complaints not considered
- The City Secretary will provide a copy of the complaint to the affected officer, the City Council and City Attorney.
- City Attorney will submit a written report to City Council not later than 15 business days after the receipt of the complaint.

- City Council shall cause a meeting to convene consisting of the Mayor plus 3 Councilmembers.
- City Council will consider the complaint and the City Attorney's report at an executive session.
- The affected officer may request the review to take place during a public meeting.
- City Council may appoint outside legal counsel, direct the City Attorney to appoint outside legal counsel or at the City Attorney's discretion, may appoint outside legal counsel.
- A complaint may only be made against an officer while they hold the position or office.
- A complaint made against an officer will continue and be processed even if such person resigns from, or ceases to hold such position or office, prior to resolution of the complaint.

Violation Features

- The City Council may take any 1 or more of the following actions in an open meeting concerning a complaint:
 - Issue a statement finding the complaint is totally without merit
 - Issue a letter of notification when the violation is unintentional
 - Issue a letter of admonition when the violation is minor or may have been unintentional
 - Issue a reprimand
 - Remove the officer from their position, other than a City Councilmember
 - Pass a resolution of censure or a recommendation of recall

Next Steps

- Take City Council feedback and direction about renewal of the ethics ordinance.
- Prepare for the ordinance to be placed on Council agenda for adoption on October 22, 2012, if directed.

Council Comments

Councilmember Omar asked for clarification on Section 2.5 B regarding not appearing on one's behalf. He asked if that applied to board members. Mr. Morgan explained that this section applied to Council only and that a councilmember could have a proxy appear on their behalf.

Mr. Omar also asked if Section 2.5 A should be expanded to include board members. Mr. Johnson explained that there are other guidelines outside of the Ethics Ordinance that can be used for certain situations.

F. Report on Items of Community Interest

Council Comments

Councilmember Hartley commented that he recently drove by the Gymnastics Center construction site and reported that it looks good.

Mayor Townsend asked for two volunteers to participate in the revitalization program judging on November 16. Mayor Pro Tem Maczka and Councilmember Dunn volunteered.

ADJOURN WORK SESSION AND CONVENE INTO EXECUTIVE SESSION

Mayor Townsend adjourned the Work Session at 8:06 p.m. and stated the Executive Session would convene at 8:16 p.m.

- **In compliance with Section 551.071 (1) and (2), Section 551.087, and Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:**
 - **Consultation with City Attorney**
 - **Regarding Oncor Electric City Franchise Agreement and Potential Litigation Regarding the Relocation of Oncor Facilities**
 - **Deliberation Regarding Economic Development Negotiations**
 - **Commercial Development – Renner Rd./Plano Rd. Area**
 - **Personnel**
 - **City Health Officer Appointment Renewal**

ADJOURN EXECUTIVE SESSION AND RECONVENE INTO WORK SESSION

Mayor Townsend reconvened into the Work Session at 9:45 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:45 p.m.



MAYOR

ATTEST:



CITY SECRETARY

