

**MINUTES**  
**RICHARDSON CITY COUNCIL MEETING**  
**AUGUST 28, 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     | Director of Finance              |
| Bob Clymire     | Budget Officer                   |
| Cara Copley     | Assistant Budget Officer         |
| Sam Chavez      | Director of Development Services |

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

- 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**

**Council Action**

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

**4. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

There were no public comments submitted in person. City Manager Magner acknowledged a public comment card submitted by Kellye McGarry, 1911 N. Waterview, regarding transcribing city council meetings.

**PUBLIC HEARING ITEM:**

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

Mr. Magner provided a summary of the proposed budget and acknowledged public comments submitted in advance of the meeting.

- Kathleen Born, 1226 Dumont Dr., opposed to tax increase
- Thomas Dittman, via email, opposed to tax increase
- Chuck Fleischer, 3302 Foxcreek Dr., via Collin County Tax Transparency Website - vote no
- Kerry Grubb, 506 S. Grove Rd., via Dallas County Tax Transparency Website – vote no

### **Public Hearing**

Mayor Dubey opened the public hearing.

Michael Rochester, 1623 Mariposa Dr., Dallas, addressed Council acknowledging he is a 36-year fireman with the City of Richardson. He thanked City Management and City Council for the dedication to employees and public safety in the budget and requested unanimous approval of the budget.

With no further comments submitted, Mayor Dubey closed the Public Hearing with a motion by Councilmember Hutchenrider, second by Councilmember Corcoran, and unanimous approval.

### **BUDGET ACTION ITEMS:**

#### **Staff Comments**

City Manager Magner provided a summary of the budget action items, explaining the language required by state law and the Conflict of Interest items on file from Mayor Dubey and Councilmember Hutchenrider necessitating three motions for the budget approval.

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

#### **Council Action**

Councilmember moved to approve and adopt a budget with Ordinance No. 4468 for all City services except for scoreboard maintenance, wellness services, immunizations, employee shots and Methodist Richardson Medical Center Foundation event sponsorship/advertising for the year beginning October 1, 2023, and ending September 30, 2024. Councilmember seconded the motion. A vote was taken and passed 7-0 with Mayor Dubey, Mayor Pro Tem Shamsul, Councilmember Dorian, Councilmember Justice, Councilmember Barrios, Councilmember Corcoran, and Councilmember Hutchenrider voting in favor.

Mayor Dubey stated that he would be abstaining from the next discussion and vote due to a conflict of interest on file with the City Secretary and he excused himself from the Council Chambers. Mayor Pro Tem Shamsul conducted the meeting during Mayor Dubey's absence.

Councilmember moved to approve and adopt a budget for scoreboard maintenance for the year beginning October 1, 2023, and ending September 30, 2024. Councilmember seconded the motion. A vote was taken and passed, 6-0 with Mayor Dubey abstaining and Mayor Pro Tem Shamsul, Councilmember Dorian, Councilmember Justice, Councilmember Barrios, Councilmember Corcoran, and Councilmember Hutchenrider voting in favor.

Mayor Dubey returned to the dais to conduct the remainder of the meeting.

Councilmember Hutchenrider stated that he would be abstaining from the next discussion and vote due to a conflict of interest on file with the City Secretary and he excused himself from the meeting.

Councilmember moved to approve and adopt a budget for wellness services, immunizations, employee shots and Methodist Richardson Medical Center Foundation event sponsorship/advertising for the year beginning October 1, 2023, and ending September 30, 2024. Councilmember seconded the motion. A vote was taken and passed, 6-0 with Councilmember Hutchenrider abstaining and Mayor Dubey, Mayor Pro Tem Shamsul, Councilmember Dorian, Councilmember Justice, Councilmember Barrios, Councilmember Corcoran voting in favor.

Councilmember Hutchenrider returned to the dais.

- 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.**

**Council Action**

Councilmember moved that the property tax rate be increased by the adoption of a tax rate of \$0.56095, which is effectively 10.86% percent increase in the tax rate and adopt Ordinance 4469. Councilmember seconded the motion. A vote was taken and passed, 7-0 with Mayor Dubey, Mayor Pro Tem Shamsul, Councilmember Dorian, Councilmember Justice, Councilmember Barrios, Councilmember Corcoran, and Councilmember Hutchenrider voting in favor.

- 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.**

**Council Action**

Councilmember moved to ratify the property tax increase reflected in the budget adopted for the fiscal year beginning October 1, 2023, and ending September 30, 2024. Councilmember seconded the motion. A vote was taken and passed, 7-0 with Mayor Dubey, Mayor Pro Tem Shamsul, Councilmember Dorian, Councilmember Justice, Councilmember Barrios, Councilmember Corcoran, and Councilmember Hutchenrider voting in favor.

**9. BUDGET CONSENT AGENDA:**

**Staff Comments**

City Manager Magner provided a summary of the budget consent agenda items, explaining that the following items were related to amending water and sewer service rates, garbage and refuse fees, and building inspection fees related to approval of the fiscal year 2023-2024 budget.

- 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.**

**Council Action**

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

**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.**

**Staff Comments**

Sam Chavez, Director of Development Services, provided a summary of this request.

**Council Action**

Councilmember Justice moved to approve the request as presented. Mayor Pro Tem Shamsul seconded the motion. A vote was taken and passed, 7-0.

- 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)(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.**

### **Staff Comments**

Sam Chavez, Director of Development Services, provided a summary of this request.

### **Council Action**

Councilmember Hutchenrider moved to approve this request specifying that it is tied to a pet supply sales and grooming store. Councilmember Justice seconded the motion. A vote was taken and passed, 7-0.

## **12. CONSENT AGENDA:**

- 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.**

**Council Action**

Councilmember Justice moved to approve the Consent Agenda as presented. Councilmember Hutchenrider 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.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:14 p.m.

ATTEST:

  
CITY SECRETARY

  
MAYOR