

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 22, 2002
7:30 P.M.
COUNCIL CHAMBERS
5300 BELT LINE ROAD

REGULAR SESSION

Item #R1 - Consideration of Old Business.

Item #R2 - Consent Agenda.

CONSENT AGENDA

#2a - Approval of the Minutes for the October 8, 2002 Council Meeting.

#2b - Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$5,751.00 with Dallas County Health Department for annual health services.

#2c - Consideration of a Resolution authorizing the City Manager to enter into a contract in an amount not to exceed \$3,000.00 with Trinity River Authority (TRA) for wastewater testing services.

Item #R3 - Presentation of a Proclamation for Marine Corps Week.

Item #R4 - Consideration of an Ordinance adopting the 2002 National Electrical Code.

Item #R5- Consideration of an Ordinance requesting a variance to the Town of Addison Ordinance Appendix B, Section XVI, G2, which requires underground construction of utility and service lines for an existing building located at 4321 Airborn Drive.

Item #R6 - Consideration of an Ordinance approving a meritorious exception to Chapter 62, Signs, Section 62-163 Area, located at 14651 Dallas Parkway, on application from Chandler Signs, L.P.

Item #R7 - Consideration of a Change Order in the amount of \$58,386.16 to AUI Contractors for removal and replacement of equipment and finishes in the steam rooms and dry saunas of the Addison Athletic Club.

Item #R8 - Consideration of Resolution approving a Compromise, Settlement and Release Agreement by and between the Town of Addison and TXU Electric Company (now known as TXU US Holdings Company) and TXU Gas Company regarding the calculation and amount of franchise fees paid by the said Companies.

Item #R9 - **PUBLIC HEARING** and **FIRST READING** of an Ordinance amending the existing Electric Franchise of the Town between the Town and Oncor Electric Delivery Company to provide for a different consideration (being a sum comprised of (i) a charge authorized by Section 33.008(b) of the Texas Public Utility Regulatory Act based on each kilowatt hour of electricity delivered by Oncor to each retail customer whose consuming facility's point of delivery is located within the Town municipal boundaries, and (ii) a sum equal to four percent (4%) of gross revenues received by Oncor from services identified in its "Tariff for Retail Delivery Services", Section 6.1.2, "Discretionary Service Charges," items DD1 through DD24, that are for the account or benefit of an end-use retail electric consumer; providing that Oncor may file a tariff amendment(s) to provide for the recovery of the franchise fee on Discretionary Service Charges, and that the Town will not take action to prohibit the recovery of such franchise fees; providing for acceptance by Oncor Electric Delivery Company; providing a savings clause; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; providing for two readings of this

Ordinance, and for final passage not earlier than thirty (30) days after the date of the first reading of this Ordinance; providing an effective date thirty (30) days after the date of the final passage.

Item #R10 - **PUBLIC HEARING** and **FIRST READING** of an Ordinance amending the existing Gas Franchise of the Town between the Town and TXU Gas Company to provide for a different consideration (being four percent (4%) of the gross revenues received by TXU Gas (“gross revenues” being defined in part to mean all revenue derived or received, directly or indirectly, by TXU Gas Company from or in connection with the operation of the gas distribution system within the corporate limits of the Town)); providing for a most favored nations clause; providing that TXU Gas Company may file a tariff amendment(s) to provide for the recovery of the franchise fees under this amendment, and that the Town will not take action to prohibit the recovery of such franchise fees; providing that TXU shall have the right to lease, license or otherwise grant to a party other than TXU Gas the use of its facilities within the City’s public rights-of-way under the conditions stated in the Ordinance; providing for acceptance by TXU Gas Company; providing a savings clause; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; providing for two reading of this Ordinance, and for final passage not earlier than thirty (30) days after the date of the first reading of this Ordinance; providing an effective date thirty (30) days after the date of the final passage.

Item #R11 - Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$512,828.00 with Barson Utilities, Inc., for construction of the Brookhaven Club Sanitary Sewer Line Project.

Item #R12 - Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$17,750.00 with Teague Nall and Perkins for preparation of a Storm Water Management Plan and filing for a Texas Pollution Discharge Elimination System (TPDES) Permit.

EXECUTIVE SESSION

Item #ES1 - Closed (Executive) session of the City Council, pursuant to Section 551.071 and 551.072 of the Texas Government Code for presentation, discussion and consultation with the City Attorney regarding the possible purchase or condemnation of a 0.035 acre tract of land for a parkway easement adjacent to the right-of-way of Addison Road, a portion of the Quorum Centre Addition, owned by Rail Hotels Corporation (located generally at 15200 Addison Road).

Item #ES2 - Closed (Executive) session of the City Council, pursuant to Section 551.071 and 551.072 of the Texas Government Code for presentation, discussion and consultation with the City Attorney regarding the possible purchase or condemnation of a 0.073 acre tract of land for a parkway easement adjacent to the right-of-way of Addison Road, owned by Sultan Chanaa (and being a portion of 15201 Addison Road).

REGULAR SESSION

Item #R13 - Consideration of a Resolution authorizing condemnation of a 0.035 acre tract of land for a parkway easement adjacent to the right-of-way of Addison Road; a portion of the Quorum Centre Addition, (located generally at 15200 Addison Road).

Item #R14 - Consideration of a Resolution authorizing condemnation of a 0.073 acre tract of land for a parkway easement adjacent to the right-of-way of Addison Road (and being a portion of 15201 Addison Road).

Adjourn Meeting

Posted 5:00 p.m.
October 17, 2002
Carmen Moran
City Secretary

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS
WITH DISABILITIES. PLEASE CALL (972) 450-2819 AT LEAST
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**