



**Post Office Box 9010 Addison, Texas
75001-9010
5300 Belt Line Road
(972) 450-7000 Fax: (972) 450-7043**

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

AND / OR

WORK SESSION OF THE CITY COUNCIL

4:00 PM

July 8, 2014

ADDISON TOWN HALL

5300 BELT LINE RD., DALLAS, TX 75254

4:00PM WORK SESSION

7:30PM REGULAR MEETING

WORK SESSION

- WS1 Discussion regarding the Town of Addison Budget and Strategic Plan, including City Council goals, objectives and visioning, and including a presentation by and discussion with Karen Walz, Strategic Community Solutions, regarding the Town of Addison Budget and Strategic Plan, and including City Council goals, objectives, and visioning, and including demographics, economic characteristics, development patterns, comprehensive plan, and vision documents of and pertaining to the Town.

Attachments

Memo

Implementation Action Items

REGULAR MEETING

Pledge of Allegiance

R1 Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Consent Agenda.

R2a Approval of the Minutes for the June 24, 2014 City Council Meeting and Work Session.

RECOMMENDATION:

Administration recommends approval.

Attachments

06-24 Minutes

R2b Approval of a contract for services with United Dominion Realty (UDR) in the amount of \$83,000 for Addison's co-sponsorship of Vitruvian Nights, Vitruvian Salsa Festival and other events held in Vitruvian Park in summer 2014, subject to review and final approval of the City Manager and City Attorney.

RECOMMENDATION:

Administration recommends approval.

Attachments

Vitruvian Park Agreement

Vitruvian Park Presentation

R2c Approval of a Resolution adopting rental rates and fees or the use of, and a commission structure for the sale of food and beverages by vendors at, the Addison Events District, including the Addison Conference and Theatre Centre, and at Visit Addison and repealing Resolution No. R12-022.

RECOMMENDATION:

Administration recommends approval.

Attachments

ACC Price Resolution

ACTC Rate Comparison

Regular Items

R3 **PUBLIC HEARING** Case 1697-SUP/Bitter Sisters Brewing Company. Public hearing, discussion, consider and take action regarding an ordinance changing the zoning on property located at 15103 Surveyor Boulevard, which property is currently zoned I-1, Industrial 1, by approving for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, on application from Bitter Sisters Brewing Company, LLC, represented by Mr. Matt Ehinger.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 15103 Surveyor Boulevard, which property is currently zoned I-1, Industrial-1, by approving for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, subject to no conditions.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

RECOMMENDATION:

Administration recommends approval.

Attachments

1697-SUP Council Packet

- R4 **PUBLIC HEARING** Case 1698-SUP/Ramen Hakata. Public hearing, discussion, consider and take action regarding an ordinance changing the zoning on property located at 3714 Belt Line Road, which property is currently zoned PD, Planned Development, through Ordinance 097-031, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Soo Hyun Park represented by Mr. Greg Paik.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 3714 Belt Line Road, which property is currently zoned PD, Planned Development, through Ordinance 097-031, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

RECOMMENDATION:

Administration recommends approval.

Attachments

1698-SUP Council Packet

- R5 **PUBLIC HEARING** Case 1699-SUP/Chuy's Mexican Food. Public hearing, discussion, consider and take action regarding an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR, Local Retail, by amending a Special Use Permit for a restaurant and by amending a Special Use Permit for the sale of alcoholic beverages for on-premises

consumption only in order to add an outdoor bar area, on application from Chuy's Mexican Food, represented by Mr. Bill Pounds of Parkway Construction and Associates.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR, Local Retail, by amending a Special Use Permit for a restaurant and by amending a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only in order to add an outdoor bar area, subject to no conditions.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

RECOMMENDATION:

Administration recommends approval.

Attachments

1699-SUP Council Packet

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- R6 Presentation and discussion regarding the ponds or lakes within the City at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

Attachments

Response to Farmers Branch Report July 2014

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- R7 Presentation, discussion, consider and take action regarding the Town of Addison's compensation philosophy.

RECOMMENDATION:

Administration recommends proposed compensation presented by staff on June 16, 2014.

Attachments

Proposed Compensation Philosophy 07-08-2014
Proposed Compensation Memo 06-16-2014
Mayor's Proposed Compensation Philosophy
Additional Information on Compensation

- R8 Discussion regarding the financial impact and estimated costs of the Belt Line Road utility undergrounding project.

Attachments

2015 Tax Rate Analysis
Bond and Debt Summary

- R9 Presentation, discussion, consider and take action regarding rejecting all bids for the relocation of water, sewer, and storm water drainage system on Addison Airport to accommodate the construction of a new \$3 million hangar at Addison Airport.

RECOMMENDATION:

Administration recommends approval.

- R10 Discussion regarding the Elevated Storage Tank located within the Town adjacent to the southeast corner of the intersection of Surveyor Boulevard and Arapaho Road and the wind turbines located thereon.
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- R11 Discussion, consider and take action regarding the Mayor's weekly newsletter.
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- R12 Discussion, consider, and take action regarding modifications to the City Council's Procedures.

Attachments

Memo
Revision to the City Council Procedures

- R13 Discussion, consider, and take action regarding an Ordinance amending Section 2-93 (Standards of Conduct) of the Code of Ordinances, being a portion of the Town Code of Ethics, by (A) amending subsection (11) thereof, which prohibits the use of official position and Town resources for private purposes, personal advantage, pecuniary gain, or a political campaign, by providing that the prohibition shall not prohibit members of the Council from lending their name and official Town title in connection with an election for public office or an election ordered by the Town on a proposition or measure, and (B) amending subsection (12) thereof, which prohibits the use of prestige of an official's position with the Town for a political party, by providing that it is not a violation of that subsection for members of the Council to lend their name and official Town title in connection with an election for public office or an election ordered by the Town on a proposition or measure.

Attachments

Memo
Ordinance
Ethics Policy

- R14 Discussion, consider and take action regarding the application of Section 2-93(11) of the Code of Ordinances, which prohibits the use of official position and Town resources for private purposes, personal advantage, pecuniary gain, or a political campaign, to certain activities of the Mayor that occurred during the 2014 political campaign leading up to the Town's 2014 general election held on May 10, 2014.

Attachments

Memo

- R15 Discussion, consider and take action regarding establishing a process for making appointments to the Town's Planning and Zoning Commission and the Board of Zoning Adjustments.
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- R16 Discussion, consider and take action regarding Addison's recognition and naming policy for town parks, trails, or facilities.

Attachments

Addison Naming Policy
Addison CARES Presentation

Addison CARES Draft Policy

Executive Session

ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to the ponds or lakes at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

ES2 Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

Regular Items Continued

R17 Discussion, consider and take action regarding the ponds or lakes within the City at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

R18 Discussion, consider and take action regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

RECOMMENDATION:

Administration recommends approval.

Adjourn Meeting

Posted:

Matthew McCombs, July 4, 2014, 5:00pm

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES.
PLEASE CALL (972) 450-7090 AT LEAST
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

Combined Meeting

WS1

Meeting Date: 07/08/2014

Council Goals: Create raving fans of the Addison Experience.
Mindful stewardship of Town Resources.
Maintain and enhance our unique culture of creativity and innovation.
Develop Next Great Idea
Identify opportunities for improved governance

AGENDA CAPTION:

Discussion regarding the Town of Addison Budget and Strategic Plan, including City Council goals, objectives and visioning, and including a presentation by and discussion with Karen Walz, Strategic Community Solutions, regarding the Town of Addison Budget and Strategic Plan, and including City Council goals, objectives, and visioning, and including demographics, economic characteristics, development patterns, comprehensive plan, and vision documents of and pertaining to the Town.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Attachments

Memo

Implementation Action Items

Strategic Community Solutions LLC

To: Town of Addison Mayor and Council Members
From: Karen Walz, FAICP
CC:
Date: 7/3/2014
Re: City Council's Strategic Planning and Budgeting Retreat – Implementation Items

Comments: Thank you again for all of your focused, hard work at the retreat! I believe there was a lot of really great discussion and that there is a good foundation to build on as the Council and staff work together to create a budget and action priorities for the coming year.

This memo is designed to help you prepare for our follow-up discussion about FY15 implementation items. It includes the complete list of implementation action items you identified on Saturday afternoon. Since then, I have worked with that list to create a spreadsheet you can use as you prepare for our discussion next Tuesday.

- I created a list that combines all the similar items. Whenever there were duplicate items with varying details, I have included that additional detail in the extra column in the spreadsheet. So this list has all your ideas as you wrote them, but it eliminates the duplication.
- I double-checked our tally of dots from Saturday (they were all correct, as it turns out). Then I included the count of dots for all items, even those with two or fewer dots.
- I ordered this list with the item having the most dots at the top of the list, and continuing through all the ideas you suggested. Items with the same number of dots are listed alphabetically.
- After I developed this version of your list, staff added the comments you see here about the status of items where work is underway. These comments should help you think about the items that are already far enough along that they don't need as much attention and focus from you as you discuss next year's priorities.
- I included a column where you can make your own notes about the items in preparation for our discussion.

When we talk Tuesday, we will focus on your thoughts about important Council priorities and areas for further discussion and direction. Should you have questions or comments before then, please let Lea Dunn know.

I look forward to seeing you on Tuesday. Have a happy holiday weekend!

Implementation -- Action in FY 2014-15

Item	# of Dots	Item	Additional comments	Current Status	Comments/Notes
1	6	Beltline project	Reach a resolution - next steps on Beltline; Beltline utilities; Decide plan for Beltline; Make final decision on how to proceed with Beltline project	Project currently on hold pending further discussion	
2	5	Compensation	Compensation system that reflects council philosophy; Compensation resolution; Compensation plan; Establish compensation philosophy, more detailed than current	Slated for adoption at the July 8 Regular City Council meeting	
3	5	Wind turbine project	Accountability, next steps; Water tower/Wind turbines	Turbines to be removed in August; investigation on-going	
4	4	Hire a Deputy City Manager	Deputy City Manager search	Recruitment in process; interviews in August	
5	4	Long-term plan for capital/debt	Create a financial plan to reduce debt; Long-term plan to reserve capital for future needs	Planning and development in process at the staff level; to be implemented in FY 2015 budget	
6	4	Parking	Parking garage project; Explore more options to increase parking capacity	Assigned to ACM for review and recommendation to CM; update to City Council in Sept	
7	3	Airport property acquisition	Property acquisition at airport	2 properties acquired; all 2012 bond funds committed	

Implementation -- Action in FY 2014-15

Item	# of Dots	Item	Additional comments	Current Status	Comments/Notes
8	3	Budget Suites	Control over Budget Suites	June 24, 2014 presentation to City Council; based on Council feedback City Attorney developing model Ordinance for consideration	
9	3	Engage business community ABA Treehouse	Engage business community -- ABA Treehouse; Business networking events at various locations; Grow Treehouse	Operations begin July 7, 2014; grand opening planned for early fall 2014	
10	3	New website/apps	New website and mobile apps up and running; Website rollout	New website soft launch in Nov 2014; hard launch Jan 1, 2015	
11	3	Sam's Club study	Sam's Club land study	Study underway; stakeholder meetings planned for Aug 2014	
12	2	Connectivity plan		Implementing plan as funding available	
13	2	Culture of accountability			
14	2	Fiscal transparency	Complete the transition		
15	2	Inwood Road redevelopment	Begin discussions on redevelopment of Inwood Beverage District	FY 2015 budget to include Special Area Study funding	
16	2	Sustainability	Sustainability organizationally embraced	July 8 proposed initiatives to be presented	
17	2	Zip code project - 75001		Zip election in Sept 2014; campaign prior	
18	1	City Manager hiring process in town Charter			

Implementation -- Action in FY 2014-15

Item	# of Dots	Item	Additional comments	Current Status	Comments/Notes
19	1	Code enforcement	Anti-blight program	Code initiatives to be part of FY 2015 budget	
20	1	Culture of cost savings	Hold a contest for employees		
21	1	Culture of 'how do we measure success'		FY 2015 budget to include benchmarking methodology	
22	1	Find next big thing			
23	1	Follow up on interest in music venue on Arapaho/Spectrum			
24	1	Infrastructure inventory and evaluation		On-going; CIP detailed in proposed FY 2015 budget; enhanced CIP reporting/tracking procedures to be instituted	
25	1	Rebalance/right-size our staff			
26	0	Plan for resurfacing of Addison Road		Engineering contract awarded to determine short-term fixes/repairs and long-term replacement	
27	0	Athletic Club upgrade		Solicited proposals to determine holistic improvements approach for FY 2015	
28	0	Balance of fee simple vs. apts.			
29	0	Continue to build culture of superior customer service			

Implementation -- Action in FY 2014-15

Item	# of Dots	Item	Additional comments	Current Status	Comments/Notes
30	0	Continue to fund Fork and Cork		Revised program elements and cost reductions proposed for FY 2015	
31	0	Council – staff united in efforts			
32	0	Economic development push/pull			
33	0	Event communication			
34	0	Police and fire fully staffed			
35	0	Roads			
36	0	Technology to make us better			

Combined Meeting

R2a

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Approval of the Minutes for the June 24, 2014 City Council Meeting and Work Session.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

06-24 Minutes

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

June 24, 2014

6:00 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session | 7:30 PM Regular Meeting

Present: Arfsten; Carpenter; Clemens; DeFrancisco; Heape; Meier; Moore

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

June 24, 2014

6:00 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session | 7:30 PM Regular Agenda

Posted by: Matthew McCombs, June 20, 2014, 5:00pm

WORK SESSION

WS1 Presentation and discussion regarding Extended Stay Hotels in Addison.

Matt McCombs, Assistant to the City Manager, Lea Dunn, City Manager, Charles Goff, Assistant Director of Development Services, Ron Davis, Chief of Police, and John Hill, City Attorney, discussed extended stay hotels.

There was no action taken on this item.

WS2 Update and review of Addison Brand Experience Guide and the Addison Brand Standards Guide and a discussion of the City Council name badges.

Carrie Rice, Director of Marketing and Communications, discussed the Addison Brand Experience Guide and the Addison Brand Standards Guide including the City Council name badges.

There was no action taken on this item.

WS3 Staff briefing on restructuring of the Development Services and Infrastructure Operations and Services Departments.

Lea Dunn, City Manager, and Lisa Pyles, Director of Infrastructure Operations and Services discussed the restructuring of the Development Services and Infrastructure Operations and Services Department.

There was no action taken on this item.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Consent Agenda.

R2a Approval of the Minutes for the June 10, 2014 City Council Meeting and Work Session.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,
Seconded by DeFrancisco

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

Regular Items

- R3 Presentation and proclamation honoring Motorcycle Awareness Month.

There was no action taken on this item.

- R4 Presentation by Britton Cunningham with the North Texas Commission and discussion regarding "Working with Millennials."

There was no action taken on this item.

- R5 Discussion regarding establishing a process for making appointments to the Town's Planning and Zoning Commission and the Board of Zoning Adjustments.

Council Member Arfsten made a motion to establish a process for the Planning and Zoning Commission and the Board of Zoning Adjustments which would entail two meetings, one for the nomination and one for the approval of the nomination.

Council Member Arfsten withdrew his motion.

Item R5 was tabled.

- R6 Discussion, consider and take action regarding City Council attendance policy.

Motion made by Moore to publish an attendance report on an annual basis whether City Council is present or absent at a Regular City Council Meeting.

Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Clemens, Heape, Meier, Moore

NAY: DeFrancisco

Passed

- R7 Discussion regarding Addison's recognition and naming policy for town parks, trails, or facilities.

Item R7 was tabled.

- R8 Discussion, consider and take action regarding sponsorship of Addison residents and/or employees for the 26th class of Leadership Metrocrest.

Matt McCombs, Assistant to the City Manager, spoke regarding this item.

Motion made by Meier to apply the matrix to the pool of applicants,
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

- R9 Discussion regarding the Town of Addison's proposed compensation philosophy.

Passion Hayes, Director of Human Resources, and Lea Dunn, City Manager, spoke regarding this item.

There was no action taken on this item.

- R10 Presentation and discussion of the Town's sustainability program and drought contingency plan.

Jason Shroyer, Assistant Director of Infrastructure Operations and Services, presented and spoke regarding the Addison drought contingency plan. The sustainability portion of item R10 was tabled.

There was no action taken on this item.

- R11 Presentation and discussion concerning the FEMA Flood Insurance Program and associated Floodplain maps.

Jessica Baker with Halff Associates presented on the FEMA Flood Insurance program and associated flood maps.

Jason Shroyer, Assistant Director of Infrastructure Operations and Services, and Lea Dunn, City Manager, also spoke regarding this item.

R12 Presentation, discussion, consider and take action authorizing the City Manager to enter into a contract with Atmos Energy Corporation for the relocation of a gas line on Addison Airport to accommodate the construction of a \$3 million aircraft hangar in the amount of \$57,328.57 and subject to the review and approval of the City Manager and City Attorney.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, spoke regarding this item

Motion made by Clemens to approve, subject to final review and approval by the City Manager and City Attorney, and with the conditions that if the project is less than the anticipated work, TxDOT will reimburse the Town for the project, and the Addison Airport must reimburse the general fund.

Seconded by DeFrancisco

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Meier, Moore

Passed

R13 Presentation and discussion regarding sanitary sewer capacity improvements and electric line relocations for proposed development at the southeast corner of Quorum Drive and Edwin Lewis Drive.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, Lea Dunn, City Manager, Charles Goff, Assistant Director of Development Services, and Jason Shroyer, Assistant Director of Infrastructure Operations and Services, spoke regarding this item.

Taylor Bowen with AMLI Development also spoke regarding this item.

There was no action taken on this item.

- R14 Presentation, discussion, consider and take action approving and authorizing the City Manager to execute a contract with Halff Engineers for preliminary design services related to the possible undergrounding of electric and telecommunication lines along Quorum Road between Belt Line Road and the DART rail right-of-way for an amount not to exceed \$79,000.

RECOMMENDATION:

Administration recommends approval.

Item R14 was pulled.

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- R15 Discussion, consider and take action regarding proceeding with the Belt Line Road utility undergrounding project; rescind construction award approval and rescind geotechnical award approval for Belt Line Road undergrounding project.

Lisa Pyles, Director of Infrastructure Operations and Services, Lea Dunn, City Manager, and Eric Cannon, Chief Financial Officer, spoke regarding this item.

David Jones with John Burns Construction also spoke regarding this item.

Motion made by Clemens to rescind construction award with John Burns Construction Company, to rescind award with Alliance Geotechnical Group, and to instruct Staff to meet and engage with John Burns Construction Company to work out an arrangement for the Belt Line Road undergrounding project.

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Meier, Moore

Passed

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- R16 Discussion regarding the Elevated Storage Tank located within the Town adjacent to the southeast corner of the intersection of Surveyor Boulevard and Arapaho Road and the wind turbines located thereon.

Item R16 was pulled.

ES1 Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding and pertaining to an Agreement for Advertising between the Town and Rodney Hand & Associates Marketing Communications, LP.

City Council entered Executive Session at 11:30 pm.
City Council closed Executive Session at 12:20 pm.

ES2 Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) to seek the advice of its attorney(s) about a settlement offer and on a matter in which the duty of the attorney(s) to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding and pertaining to Addison Airport and certain real property located at and within the Airport.

City Council entered Executive Session at 11:30 pm.
City Council closed Executive Session at 12:20 pm.

ES3 Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code regarding, and to seek the advice of its attorney(s) about pending litigation, to wit: 3rd Eye Surveillance, L.L.C. v. The Town of Addison, Texas, Civil Action No. 6:14-CV-00536-JDL, U.S. District Court, Eastern District of Texas.

City Council entered Executive Session at 11:30 pm.
City Council closed Executive Session at 12:20 pm.

Regular Items Continued

- R17 Discussion, consider and take action regarding and pertaining to an Agreement for Advertising between the Town and Rodney Hand & Associates Marketing Communications, LP.

Rodney Hand with Associates Marketing Communications, LP spoke regarding this item.

There was no action taken on this item.

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- R18 Discussion, consider and take action regarding and pertaining to real property located at and within Addison Airport.

Motion made by Clemens to proceed as discussed in Executive Session,

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Meier, Moore

Passed

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- R19 Discussion, consider and take action regarding and pertaining to pending litigation, to wit: 3rd Eye Surveillance, L.L.C. v. The Town of Addison, Texas, Civil Action No. 6:14-CV-00536-JDL, U.S. District Court, Eastern District of Texas.

There was no action taken on this item.

Adjourn Meeting

Mayor-Todd Meier

Attest:

City Secretary-Matthew McCombs

Combined Meeting

R2b

Meeting Date: 07/08/2014

Council Goals: Fully integrate the Arts as part of our brand

AGENDA CAPTION:

Approval of a contract for services with United Dominion Realty (UDR) in the amount of \$83,000 for Addison's co-sponsorship of Vitruvian Nights, Vitruvian Salsa Festival and other events held in Vitruvian Park in summer 2014, subject to review and final approval of the City Manager and City Attorney.

FINANCIAL IMPACT:

The Town is co-sponsoring the events and the will be paying \$83,000, which is allocated from the Council Special Project account. UDR will be paying the remainder amount of \$111,000.

Here are the costs for the events:

Vitruvian Nights Live

- May 2014 – August 2014
 - 7 Events
 - Event Attendance (as of 3rd Event) – 2,150 (increase of approx. 1,000 from Vitruvian Nights Live 2013)
- Band Cost - \$42,400
- Additional Event Programming Costs - \$38,000
 - Concessions (Food/Beverage), Equipment, Marketing Campaign & Services

Vitruvian Salsa Festival

- June 2014 – July 2014
 - 8 Events
 - Event Attendance (as of 4th Event) – 7,300
- Band/Entertainment Costs - \$40,000
- Additional Event Programming Costs - \$54,000
 - Concessions (Food/Beverage), Equipment, Marketing Campaign & Services

Social Media

- October 2013 – September 2014
- Costs - \$20,000

- Accounts Management & Contests

BACKGROUND:

Addison and UDR will co-host a series of special events in Vitruvian Park to bring entertainment and exposure to the Vitruvian development.

RECOMMENDATION:

Administration recommends approval.

Attachments

Vitruvian Park Agreement

Vitruvian Park Presentation

STATE OF TEXAS

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§
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EVENTS AGREEMENT

COUNTY OF DALLAS

This Events Agreement (the "Agreement") is made and entered into as of the _____ day of _____, 2014 by and between the Town of Addison, Texas (the "City" or "Addison") and UDR, Inc., a Maryland corporation ("UDR") for the City's sponsorship of events and activities held annually in Vitruvian Park from May – July 2014 (the City and UDR are sometimes referred to herein together as the "parties" and individually as a "party").

WITNESSETH:

WHEREAS, UDR is the owner of or has control over that area within the City that is known as Vitruvian Park and that is generally located along each side of Vitruvian Way, south of Spring Valley Road, and east of Marsh Lane; and

WHEREAS, UDR desires to conduct and present a variety of public events and activities within that area as described herein, and the City desires to participate in the public events and activities as set forth in this Agreement

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements hereinafter set forth, the benefits flowing to each of the parties hereto, and other good and valuable consideration, the Town of Addison, Texas and UDR do hereby contract, covenant and agree as follows:

I. TERM

The term of this Agreement shall be from May 1, 2014 through August 1, 2014, subject to the termination provisions of this Agreement.

II. SERVICES

A. UDR shall conduct and present a variety of events and activities (collectively, the "Events" and each an "Event," and being listed on Addendum A attached to this Agreement and incorporated herein) within the City from May 2014 – August 2014 in accordance and compliance with the terms and conditions hereof and all laws, ordinances, rules, regulations, standards, guidelines, and policies of the City or any other governmental authority having jurisdiction over the Event. The Events shall be conducted within that portion of the Vitruvian Park area that is located at and adjacent to 3966 Vitruvian Way and that is shown on Addendum B attached to this Agreement and incorporated herein (the "Event Site").

B. In connection with its conducting and presenting the Events, UDR shall provide the City with the following:

- (a) A listing of the City logo as a sponsor of the Events on collateral pieces, including but not limited to posters, fliers, invitations, admission passes, tickets, brochures, programs, etc.
- (b) A listing of the City logo as a sponsor of the Events on all print, broadcast, outdoor and electronic advertising, including but not limited to newspaper ads, magazine ads, radio ads, billboards, newsletters, web communications, etc.

- (c) A listing of the City as a sponsor of the Events in all press releases, and other communications regarding the Events.
- (d) A listing of the City logo as a sponsor on all street banners and signs in connection with the Events.
- (d) The inclusion of the Addison logo on the UDR web site (www.vitruvianpark.com) or any other web site of UDR and links to the City's websites (www.addisontexas.net, and www.addison2014.com).
- (e) Provide recognition of the Town of Addison from the stage at the Events.
- (f) Provide the City with placement of one banner display at the Events.
- (g) Submit detailed financial statements and program results to the City within thirty (30) days after the end of each Event listing the expenditures made by UDR with the revenues received pursuant to this Agreement.
- (h) Payment of all fees including but not limited to City services, electrical service, rental equipment and services, site preparation materials and restroom cleaning fees.

With respect to the banner and advertisement described above, the City shall submit to UDR the form and content of the same for its review and approval, which approval shall not be unreasonably withheld, conditioned, or delayed. In the event UDR fails to disapprove (with specific comments regarding the reason(s) for such disapproval) such banner and advertisement within five (5) days after the same is submitted (or resubmitted after modifications, as the case may be) to UDR, such banner and advertisement shall be deemed approved. The parties agree that the type of banners and advertisement provided for this same or similar event in the Town of Addison in years prior to this Agreement are acceptable. Banners may only be placed or used in accordance with the schedule attached to this Agreement as Addendum C.

C. The City shall provide UDR the following:

- (a) Compensation as outlined in Section III below (subject, however, to the City's annual budgeting and appropriation of funds to pay such compensation as determined by the City in its sole discretion).
- (b) Display of banner(s) (as approved by the City, in the City's sole discretion, and subject to availability) across Belt Line Road advertising each Event. Such banner(s) shall be supplied by UDR to the City no later than three days prior to display (see Addendum D).
- (c) Assistance with marketing and promotions, including but not limited to the following:
 - i. Listing on the City's website (www.addisontexas.net) with link to UDR's website (www.vitruvianpark.com).
 - ii. Promotion on City's social media sites.

(d) Provide UDR with the Event Site for conducting the Events, provided UDR has complied with the terms and conditions of this Agreement.

III. COMPENSATION

For the operation and provision of the services, projects and programs of Events as described herein, the City shall pay UDR the sum of \$83,000. Such payment shall be made upon the conclusion of all of the Events.

Notwithstanding the above or any other provision of this Agreement, all such compensation and any other payments (if any) by the City under this Agreement are subject to the annual budgeting and appropriation of funds by the City to pay such compensation and to make such payments (if any) in its sole and absolute discretion.

IV. ASSUMPTION OF RESPONSIBILITY AND RISK; EVENT CANCELLATION

In connection with the Events and this Agreement and for the consideration set forth in this Agreement, **UDR agrees to assume and does hereby assume all responsibility and liability for any and all damages or injuries of whatsoever kind or nature sustained by any person or property, whether real or asserted, by or from the provision and conducting of the Events and the performance of services (as described in subsections A. and B. of Section II, above) hereunder by, or any act or omission of, UDR, its officials, officers, employees, agents, contractors, subcontractors, concessionaires, invitees, guests, and/or any other person acting by, through, or under the authority or direction of UDR (together, "Responsible Parties").** Addison assumes, and shall have, no responsibility for any property placed by the Responsible Parties or any of them on the Event premises or the Event Site, and **UDR hereby RELEASES the City, its elected and appointed officials, its officers, employees, representatives, volunteers, and agents from any and all claims or liabilities of any kind or nature whatsoever for any loss, injury or damages whatsoever to persons or property that are sustained by reason of the occupancy of the Event Site under this Agreement.**

Further, for the consideration set forth in this Agreement, **UDR does agree TO AND ASSUME ANY AND ALL RISKS with respect to any loss, harm, injury (including death), accident, incident, action, occurrence or activity which may occur in connection with the Event, and does hereby RELEASE, WAIVE, ACQUIT, AND FOREVER DISCHARGE the Town of Addison, Texas and the elected and appointed officials, the officers, employees, agents, representatives, and volunteers of the Town of Addison, Texas, individually or collectively, in both their official and private capacities (the Town of Addison, Texas and the elected and appointed officials, the officers, employees, agents, representatives, and volunteers of the Town of Addison being each an "Addison Person" and collectively the "Addison Persons") from, and do COVENANT NOT TO SUE the Addison Persons (or any of them) for, any and all claims, liability, judgments, lawsuits, demands, harm, losses, damages, proceedings, actions, causes of action, fees, fines, penalties, expenses, or costs (including, without limitation, attorneys fees and court costs) whatsoever for or related to any illness or injury of any kind or nature whatsoever (including, without limitation, death), or any damage to or destruction of any property, or any other harm or loss whatsoever, (collectively, "Claims"), which UDR or any of its officials, officers, employees, representatives, volunteers, agents, contractors, licensees, or invitees may sustain or suffer in connection with or related to the conducting or providing of the**

Events and /or the production and the use and occupancy of the Event Site pursuant to, related to, or in connection with this Agreement, **INCLUDING, WITHOUT LIMITATION, ANY AND ALL CLAIMS WHICH ARISE FROM, OR ARE ALLEGED OR FOUND TO HAVE BEEN CAUSED BY, IN WHOLE OR IN PART, THE NEGLIGENCE OR GROSS NEGLIGENCE OF ANY ADDISON PERSON, OR CONDUCT BY ANY ADDISON PERSON THAT WOULD GIVE RISE TO STRICT LIABILITY OF ANY KIND.** Further, without limiting any other provision of this Agreement, UDR shall **DEFEND, INDEMNIFY, AND HOLD HARMLESS** the Town of Addison, Texas and all other Addison Persons from and against any such Claims.

Should any Event be postponed or canceled due to an Act of God, public safety, public welfare consideration, or for any other reason whatsoever, as may be determined by the City in its sole discretion and opinion, UDR hereby **RELEASES** the City, its officials, officers, employees and agents from any and all liability and claims for damages (including consequential damages) or injuries of any kind whatsoever which result from such postponement or cancellation. In addition, neither party to this Agreement shall be liable for damages caused by delay or failure to perform hereunder when such delay or failure to perform is due to terrorism, fire, acts of God, national emergency, war, civil disorder, labor dispute, inclement weather, any unavoidable casualties, or any causes beyond their respective control.

The provisions of this Section IV shall survive the termination or expiration of this Agreement.

IV-A. UDR' DEFENSE, INDEMNITY, AND HOLD HARMLESS OBLIGATION

A. For the consideration set forth in this Agreement, UDR covenants and agrees to **FULLY DEFEND** (with counsel reasonably acceptable to Addison), **INDEMNIFY AND HOLD HARMLESS** the Town of Addison, Texas and all other Addison Persons, , individually or collectively, in both their official and private capacities, from and against any and all claims, liability, judgments, lawsuits, demands, harm, losses, damages, proceedings, suits, actions, causes of action, liens, fees, fines, penalties, expenses, or costs, of any kind and nature whatsoever made upon or incurred by the City or any other Addison Person, whether directly or indirectly, (the "Damages"), that arise out of, result from, or relate to: (1) the work and services of UDR as set forth in subsections A. and B. of Section II of this Agreement, including the provision and conducting of each Event, (2) representations or warranties by UDR under this Agreement, and/or (3) any other act or omission under, in connection with, or in performance of this Agreement by UDR, or by any owner, partner, officer, director, manager, employee, agent, representative, consultant, contractor, subcontractor, licensee, or concessionaire of UDR, or any other person or entity for whom UDR is legally responsible, and their respective owners, partners, officers, managers, employees, directors, agents, representatives, consultants, contractors, subcontractors, licensees, and concessionaires (collectively, "UDR Persons"). **SUCH DEFENSE, INDEMNITY AND HOLD HARMLESS SHALL AND DOES INCLUDE DAMAGES ALLEGED OR FOUND TO HAVE BEEN CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OR GROSS NEGLIGENCE OF ADDISON AND/OR ANY OTHER ADDISON PERSON, OR CONDUCT BY ANY ADDISON AND/OR ANY OTHER ADDISON PERSON THAT WOULD GIVE RISE TO STRICT LIABILITY OF ANY KIND.** However, UDR's liability under this clause shall be reduced by that portion of the total amount of the Damages (excluding defense fees and costs) equal to the Addison Person

or Addison Persons' proportionate share of the negligence, or conduct that would give rise to strict liability of any kind, that caused the loss. Likewise, UDR's liability for Addison Person's defense costs and attorneys' fees shall be reduced by that portion of the defense costs and attorneys' fees equal to Addison Person or Persons' proportionate share of the negligence, or conduct that would give rise to strict liability of any kind, that caused the loss.

B. UDR shall promptly advise the Town of Addison in writing of any claim or demand against any Addison Person, UDR, or any UDR Person related to or arising out of UDR's activities under this Agreement, and shall see to the investigation and defense of such claim or demand at UDR's sole cost and expense. The Addison Persons shall have the right, at the Addison Persons' option and at own expense, to participate in such defense without relieving UDR of any of its obligations hereunder.

C. The provisions of this defense, indemnity, and hold harmless obligation shall survive the termination or expiration of this Agreement.

D. UDR agrees to reimburse the City for all sums which the City may pay or may be paid on behalf of the City or which the City may be compelled to pay in settlement of any Damages, including without limitation any claim under the provisions of any workers compensation law or other similar law, or under any plan for employee benefits which the City may have or adopt. The provisions of this paragraph shall survive the termination or expiration of this Agreement.

V. INSURANCE

UDR shall carry insurance, throughout the length and term of this Agreement, with responsible insurance companies qualified to do business in the State of Texas, in the types and minimum amounts set forth in Section 67-16 of the Code of Ordinances of the City, a true and correct copy of which is attached hereto as Addendum E and incorporated herein (with the addition that the requirement for commercial general liability shall also include coverage for death); provided, however, that the City Manager may waive the requirement of any of such insurance where, in the sole opinion of the Manager, such insurance is not necessary to cover or protect a function or purpose of this Agreement.

VI. TERMINATION

This Agreement may be canceled and terminated by either party hereto for any reason or for no reason upon giving at least thirty (30) days written notice of such cancellation and termination to the other party hereto. Such notice shall be hand-delivered or sent certified mail, return receipt requested, and the address for such notice is as set forth in Section XX, below. The thirty (30) days period shall commence upon delivery (if the notice is hand-delivered) or, if by mail, upon deposit of the said notice in the United States mail and shall conclude at the end of the 30th day following the date of such hand-delivery or deposit, as applicable. Therefore, the thirty-first day (31st) after day of commencement of the said 30-day period shall be deemed the "termination day" for purposes of this Agreement.

VII. CONFLICT OF INTEREST

(a) No officer or employee of the City shall have any interest or receive any benefit, direct or indirect, in this Agreement or the proceeds thereof. This prohibition is not intended and should not be construed to preclude payment of expenses legitimately incurred by City officials in the conduct of the City's business.

(b) For purposes of this section, "benefit" means anything reasonably regarded as an economic advantage, including benefit to any other person in whose welfare the beneficiary is interested, but does not include contributions or expenditures made and reported in accordance with any law.

VIII. ACCOUNTING

Prior to adopting its annual budget, UDR shall submit for the City's review a budget showing the use of the City's funds provided pursuant to this Agreement, and UDR shall make such periodic reports to the City, as provided for herein, listing the expenditures made by UDR from the funds provided by the City. The approval of UDR's annual budget creates a fiduciary duty in UDR with respect to the funds provided by the City under this Agreement.

Funds received hereunder from the City may be spent for day-to-day operations, supplies, salaries and other administrative costs provided that such costs are necessary for the promotion and encouragement of the purposes for which the funds may be used as described herein.

UDR shall maintain complete and accurate financial records of all of its revenues, including, without limitation, expenditure of revenue received pursuant to this Agreement. By the thirtieth (30th) day after the close of the Event, UDR shall provide the City a detailed financial report for the Event, in form and content acceptable to the City, listing the expenditures made by UDR of the funds paid to UDR under this Agreement. The City shall have the right to audit the books and records of UDR relating to this Agreement and the services provided by UDR hereunder upon providing UDR with ten (10) days prior notice thereof, and for that purpose UDR shall provide all of such books and records for such audit at its offices located at the address set forth below in Section XX, Notices.

IX. INDEPENDENT CONTRACTOR

In performing services under this Agreement, the relationship between the City and UDR is that of independent contractor, and the City and UDR by the execution of this Agreement do not change the independent status of UDR. No term or provision of this Agreement or action by UDR in the performance of this Agreement shall be construed as making UDR the agent, servant or employee of the City, and nothing herein shall be construed to create a partnership, joint venture, joint enterprise, or agency relationship between the parties hereto.

X. NON-ASSIGNABILITY

UDR may not and shall have no authority to assign, transfer, sell, pledge, or otherwise convey this Agreement or any of the rights, duties or responsibilities hereunder without obtaining the prior written approval of the City. Any such assignment, transfer, sale, pledge, or other conveyance in violation hereof shall entitle the City to immediately terminate this Agreement, and upon such termination all funds paid to UDR shall be promptly reimbursed to the City.

XI. NO PARTNERSHIP OR JOINT VENTURE

Nothing contained in this Agreement shall be deemed to constitute that the City and UDR are partners or joint venturers with each other, or to constitute a joint enterprise.

XII. COPYRIGHT; MARKS

UDR assumes full responsibility for complying with all United States laws and treaty terms pertaining to intellectual property issues and any applicable regulations, including but not limited to the assumption of all responsibilities for paying all royalties which are due for the use of domestic or foreign copyrighted works in UDR', transmissions or broadcasts, and UDR, without limiting any other indemnity given by UDR as set forth herein, agrees to **DEFEND, INDEMNIFY, AND HOLD HARMLESS** the City, its officials, officers, employees, and agents, for any liability, claims or damages (including but not limited to court costs and reasonable attorney's fees) growing out of UDR's infringement or violation of any statute, treaty term or regulation applicable to intellectual property rights, including but not limited to copyrights.

In connection with the Event, each party grants to the other party a non-exclusive, non-transferable, royalty-free right and license to reproduce, publish and display, in accordance with and subject to the terms and conditions of this Agreement and solely for the limited purposes set forth herein, the party's trademarks, service marks, logos, or other content (together, "Marks") provided in connection with advertising of the Event as described herein. Such reproduction, publication, display or use shall be subject to the approval of the party which is the owner of the Logos. Except for the express license rights granted herein, all right, title and interest in and to the Marks shall remain in the respective party who owns the Marks. Neither party hereto shall copy, distribute, reproduce, display, or use any Marks except as expressly permitted under this Agreement. Each party hereto acknowledges the other party's rights and interests in and to such other party's Marks and agrees not to claim any right, title or interest in or to such Marks or to at any time challenge such other party's rights in or to such Marks for any reason whatsoever. All use of either party's Marks or the goodwill generated thereby shall inure to the benefit of the respective party which owns such Marks.

Each party hereto represents that its execution and delivery of this Agreement, and its performance hereunder, will not violate or conflict with (i) any other contract or agreement to which it is a party, or (ii) the intellectual property rights or other rights of any third party.

XIII. NON-DISCRIMINATION

During the term of this Agreement, UDR agrees that it shall not discriminate against any employee or applicant for employment because of race, age, color, sex or religion, ancestry, national origin, place of birth, or handicap.

XIV. LEGAL COMPLIANCE

UDR shall observe and abide by all applicable federal laws, state statutes and the Charter and Ordinances of the City, and all rules and regulations of any lawful regulatory body acting thereunder in connection with the services performed.

XV. APPLICABLE LAWS

This Agreement is made subject to the provisions of the Charter and ordinances of the City, as amended, and all applicable state and federal laws.

XVI. VENUE

Venue for any action or claim brought on or under this Agreement shall lie exclusively in Dallas County, Texas.

XVII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

XVIII. GOVERNING LAW

This Agreement shall be governed by and construed under the laws of the State of Texas, without regard to choice of law rules of any jurisdiction.

XIX. NO WAIVER; SURVIVABILITY; NO THIRD PARTY BENEFICIARIES

The failure by either party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. The rights or remedies under this Agreement are cumulative to any other rights or remedies, which may be granted by law. Any rights, remedies, duties, or obligations either party may have with respect to the other arising out of the performance of or in connection with this Agreement shall survive the cancellation, expiration or termination of this Agreement.

This Agreement is solely for the benefit of the parties hereto and is not intended and shall not be construed to create or to grant any rights, duties, or obligations, contractual or otherwise, to any third person or entity.

XX. NOTICES

All notices, communications and reports, required or permitted under this Agreement shall be personally delivered or mailed to the respective parties using certified mail, return receipt requested, postage prepaid, at the addresses shown below. The City and UDR agree to provide the other with written notification within five (5) days, if the address, provided below, is changed. Mailed notices shall be deemed communicated on the date shown on the return receipt. If no date is shown, the mailed notice shall be deemed communicated on the fifth (5th) day after mailing.

The City's address:

Assistant City Manager
Town of Addison

UDR' address:

Tom Lamberth,
Vice President - Development

5300 Belt Line Road
Dallas, Texas 75254

UDR
3875 Ponte Avenue, Suite 400
Addison, Texas 75001

XXI. LEGAL CONSTRUCTION; SEVERABILITY

The terms of this Agreement are severable, and if any article, clause, paragraph, section or other portion of this Agreement shall be found to be illegal, unlawful, unconstitutional or void for any reason, the balance of the Agreement shall remain in full force and effect and the parties shall be deemed to have contracted as if said clause, section, paragraph or portion had not been in the Agreement initially. In lieu of any such illegal, unlawful, unconstitutional, or void provision, the parties shall seek to negotiate the addition to this Agreement of another provision that would be permitted that is as close to the intent of the original provision as possible.

This Agreement is the joint product of UDR and the City, and each provision has been subject to the mutual consultation, negotiation, and agreement of Consultant and Client, and will not be construed for or against any party. Article and section headings are for convenience only and shall not be used in interpretation of this Agreement. For purposes of this Agreement, "includes" and "including" are terms of enlargement and not of limitation or exclusive enumeration, and use of the terms does not create a presumption that components not expressed are excluded.

XXII. AUTHORITY TO EXECUTE CONTRACT

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto, and each party hereby certifies to the other that any necessary resolutions or other act extending such authority have been duly passed and are now in full force and effect.

XXIII. ENTIRE AGREEMENT

This Agreement represents the entire and integrated agreement between the City and UDR and supersedes all prior negotiations, representations and/or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the City and UDR

IN WITNESS THEREOF, the parties hereto have caused this agreement to be signed by their proper corporate officers as first above specified, and have caused their proper corporate seal to be hereto affixed the day and year first above written.

TOWN OF ADDISON, TEXAS

**UDR, Inc.,
a Maryland corporation**

By: _____
Chris Terry, Assistant City Manager

By: _____

Its: _____



60th Anniversary • Summer Series
Kaboom Town • Vitruvian Park Events

Council Work Session
April 8, 2014



Vitruvian Nights Live

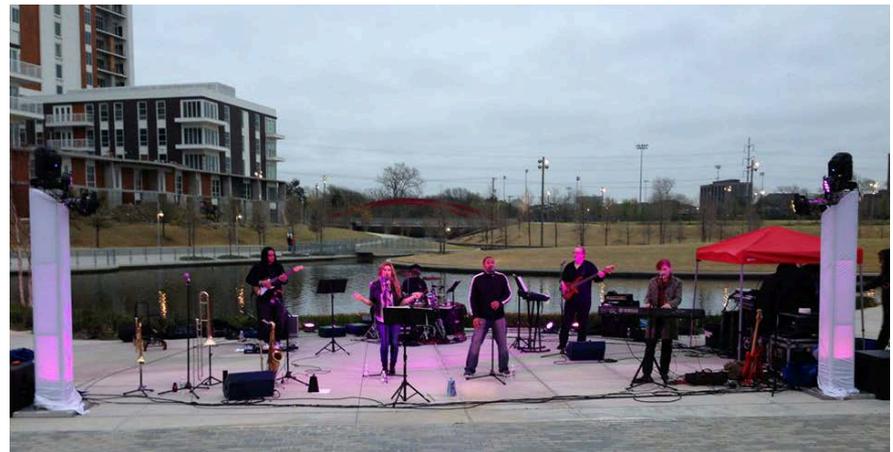
Free Concerts every other Thursday May – August
7 p.m. – 9:30 p.m.
Vitruvian Park

Food Trucks
102.9 NOW Promo Team onsite w/Give-a-Ways

- | | |
|-----------|-----------------------|
| May 29 | Mars Hill |
| June 12 | Dallas String Quartet |
| June 26 | The Project |
| July 10 | Ricki Derek |
| July 24 | The Spazmatics |
| August 7 | Cuvee |
| August 21 | Chris Rivers Band |



VITRUVIAN NIGHTS
LIVE





Vitruvian Salsa Festival

Free Concerts and Dance Lessons Saturdays in
June & July
6 p.m. – 10:00 p.m.
Vitruvian Park

Food Trucks
Dance Lessons by the Dance Council of North Texas

- June 7 Cuban Night
- June 14 Puerto Rican Night
- June 21 Dominican Night
- June 28 Colombian/Venezuelan Night
- July 5 Cuban Night
- July 12 Puerto Rican Night
- July 19 Dominican Night
- July 26 Colombian/Venezuelan Night



ADDISON SPECIAL EVENTS

- Variety of Health & Wellness Throughout the Year
- \$85,000 General Fund Support



Friday Nights in April & May



Every Other
Saturday Morning



Mon/Wed/Fri - Mornings

 campGladiator
Tues/ Thurs - Evenings



Combined Meeting

R2c

Meeting Date: 07/08/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Brand Protection and Enhancement

AGENDA CAPTION:

Approval of a Resolution adopting rental rates and fees or the use of, and a commission structure for the sale of food and beverages by vendors at, the Addison Events District, including the Addison Conference and Theatre Centre, and at Visit Addison and repealing Resolution No. R12-022.

FINANCIAL IMPACT:

N/A

BACKGROUND:

The intent of this item is for the City Council to approve the proposed increases in the room rental pricing at the Addison Conference and Theatre Centre (ACTC), specifically the Conference Centre, via a resolution as recommended by staff.

Historically, the City Council has established the rental rates and fees via approval of an ordinance amending Chapter 67, Special Events, of the Code of Ordinances, which includes the Addison Arts and Events District and Visit Addison. The last time the City Council set the current space rental fees was September 25, of 2012 at a Regular Agenda meeting. The first action at that meeting was to amend Chapter 67, which accomplished the following:

1. deleted the space rental fees and structure out of the Code of Ordinances;
2. provided for an in-house private label caterer;
3. required food and beverage vendors to pay a commission of its sales to the ACTC and Visit Addison;

Subsequently on the September 25, 2012 Regular Agenda meeting, the Council then approved a Resolution (R12-022) that set forth the following:

1. replaced the previous fee structure of Social and Corporate rates with Weekday and Weekend rates, which is more aligned with the competitive set and industry standard;
2. allowed staff the flexibility to negotiate room rates and fees as necessary;
3. allowed for the establishment and modification of rental rates and fees through the Council's approval by resolution or motion, rather than by amending the Code of Ordinances.

After conducting a routine market analysis in May of this year, staff discovered the

comparable competitive set has increased their room rental rates. Factors considered in the analysis were square footage, space configurations, add-ons, and levels of service. In order to react to the market commensurately, Staff would like to increase the current room rental rates at the Conference Centre; the attached spread sheet titled *ACTC Price Comparison* details the current rate comparison and the proposed increases. These rate increases apply only to the space and various configurations within the Conference Centre. Current rates at the Stone Cottage, Theatre Centre, and Visit Addison are comparable and competitive in the market, so there is no proposal to change those rates at this time.

By approving this item, the Conference Centre can increase its per space rental revenue by an average of 19% per booking.

The resolution is also attached to this item.

RECOMMENDATION:

Administration recommends approval.

Attachments

ACC Price Resolution

ACTC Rate Comparison

TOWN OF ADDISON, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS APPROVING AND ADOPTING A SCHEDULE OF SPACE RENTAL RATES AND FEES FOR THE RENTAL AND/OR USE OF, AND A COMMISSION STRUCTURE FOR THE SALE OF FOOD AND/OR BEVERAGES BY VENDORS AT, THE ADDISON ARTS AND EVENTS DISTRICT, INCLUDING THE ADDISON CONFERENCE & THEATRE CENTRE, AND VISIT ADDISON; REPEALING RESOLUTION NO. R12-022; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the “City”) is the owner of the Addison Arts and Events District, as defined in Section 67-2 of the Code of Ordinances (the “Code”) of the City (the “District”), and of Visit Addison, the City’s visitor center located within the City in the Village on the Parkway shopping center (“Visit Addison”) (the District and Visit Addison being together the “Facilities”); and

WHEREAS, Section 67-17 of the Code provides that space rental rates and fees for the District and for Visit Addison may be set forth in a schedule established by the City Council through the adoption of a resolution or a motion, and that the same may be adjusted or amended from time to time; and

WHEREAS, the Code further provides that the City Council may, by resolution or motion, establish the amount of commission that a vendor of food and/or beverages shall pay to the City for events and functions that take place at the Facilities, and amend the amount from time to time; and

WHEREAS, the City Council desires by this Resolution to establish rental rates and fees for the rental or use of, and the amount of commission to be paid by vendors providing food and/or beverage service at, the District and Visit Addison.

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

Section 1. Incorporation of recitals. The above and foregoing recitals are true and correct and are incorporated into and made a part of this Resolution.

Section 2. Rental rates, commission amounts.

(a) *Space rental rates.* Rental rates and charges for the rental or use of space within the Addison Arts and Events District (as defined in Section 67-2 of the City’s Code of Ordinances) and at Visit Addison (the City’s visitor center) shall be as set forth in Exhibit A attached hereto and incorporated herein. Such rates and charges may be modified or amended from time to time by the City Council by adoption of a resolution or by motion of the City Council.

The City Manager or the City Manager's designee may waive or reduce these fees and charges to attract additional business to the Town, to provide exposure to industry professionals, or for any other purpose as determined by the City Manager. The Conference Centre Manager may provide complimentary space by providing financial support from the Conference Centre based on the ability to achieve additional future business by these actions.

Rental fees may also be applicable to non-district events held on public property. The Conference Centre Manager has the authority to establish rates for items such as copies, transparencies, faxes, notary services, audio-visual services and telephone usage. This information can be obtained from the Conference Centre Manager.

(b) *Food/beverage service commission.* Each vendor that provides food and/or beverage service to the Addison Arts and Events District or to Visit Addison shall pay the City a commission on the vendor's gross receipts from the sale of all food and/or beverages during an event or function. For purposes of this section, "gross receipts" means the whole, entire, total receipts from the sale of food and beverages, without deduction. The amount of the commission is as set forth in the attached Exhibit A.

(c) The rates and charges, and commission amount, set forth in the attached Exhibit A shall take effect upon passage and approval of this Resolution.

Section 3. Repeal of Resolution. Resolution No. R12-022 of the City that established rates and fees for the District and Visit Addison is repealed.

Section 4. Effective Date. This Resolution shall be effective upon its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the _____ day of _____, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A
TO RESOLUTION NO. _____

Schedule of Rental Rates and Charges; Commission Rates

Addison Conference Centre Weekday Rates (All rates are for eight hours Monday – Thursday)

Room	Room Rental	Addison Hotel Rate
Buckthorn, Sycamore, Juniper or Acacia (1200 sq. ft. each)	\$300	\$240
Sophora (1800 sq. ft.)	\$400	\$320
Two of the Above Rooms (2400 Sq. Ft.)	\$600	\$480
Two of the Above Rooms and Sophora (4,200 sq. ft.)	\$1,000	\$800
Entire Facility (6,600 sq. ft.)	\$1,440	\$1,152

Addison Conference Centre Weekend Rates (All rates are for eight hours Friday – Sunday)

Room	Room Rental	Addison Hotel Rate
Buckthorn, Sycamore, Juniper or Acacia (1200 sq. ft. each)	*	*
Sophora (1800 sq. ft.)	*	*
Two of the Above Rooms (2400 Sq. Ft.)	*	*
Two of the Above Rooms and Sophora (4,200 sq. ft.)	-*	*
Entire Facility (6,600 sq. ft.)	\$2,160	\$1,920

*Weekend partial space rental is not available for bookings further than three months out from the date of the event. If bookings are within three months of the date of the event, please contact the Addison Conference and Theatre Centre for partial space rental rates. Kitchen included with entire facility rental.

Theatre Centre

Room	Weekday Rate	Weekend Rate	Theatre
Lobby	\$250	\$600	

Main Space	\$700	\$1,200	
Rehearsal Space	\$100	\$200	\$200
Lobby and Main Space			\$650

Stone Cottage

	Weekday	Weekend Rate	Theatre
Rate	\$300	\$450	\$120
Hotel Rate	\$200	\$350	

Board Room

	Weekday	Weekend Rate
Rate	\$200	N/A
Hotel Rate	\$160	N/A

Visit Addison Weekday Rates (All rates for eight hours Monday through Thursday)

Room	Room Rental	Addison Hotel Rate
Gallery	\$495	\$350
Information Center	\$340	\$270
Flex Room	\$250	\$135
Remington	\$150	\$90
Adams	\$125	\$100
Gallery and Flex Room Combined	\$745	\$590
Gallery and Information Center Combined	\$850	\$650
Gallery, Information Center, and Flex Room Combined	\$1050	\$800

Visit Addison Weekend Rates (All rates are for eight hours Friday through Saturday)

Room	Room Rental	Addison Hotel Rate
Gallery	\$900	\$690
Information Center	\$500	\$420
Flex Room	\$350	\$235
Remington	\$150 Friday only	\$90 Friday only
Adams	\$125 Friday only	\$100 Friday only
Gallery and Flex Room Combined	\$1,250	\$990
Gallery and	\$1,400	\$1,250

Information Center Combined		
Gallery, Information Center, and Flex Room Combined	\$1,750	\$1,750

Food and Beverage/Service Commission

Addison Hotel	Addison Vendor	Non-Addison Vendor
10%	15%	20%

For Addison hotels, room rental will be waived with a food and beverage minimum commensurate with hotel catering price structure.

ACTC PRICE COMPARISON

Venue	Sq Feet	Current Price	Recommended Price & Comparison	Sq Feet	Current Price	Recommended Price & Comparison	Sq Feet	Current Price	Recommended Price & Comparison	Sq Feet	Current Price	Recommended Price & Comparison
Addison Conference Centre	4,200	\$760.00	\$1,000.00	2,400	\$480.00	\$600.00	1,800	\$380.00	\$400.00	1,200	\$260.00	\$300.00
Richardson Civic Center	4,300	\$1,500.00	\$1,500.00	2,300	\$900.00	\$900.00	2,000	\$600.00	\$600.00	1,000	\$300.00	\$300.00
Grapevine Convention Center	4,753	\$900.00	\$900.00	2,376	\$500.00	\$500.00	1,968	\$250.00	\$250.00	1,268	\$300.00	\$300.00
Plano Center	3,556	\$900.00	\$900.00							1,087	\$300.00	\$300.00
Bacara	Up to 250 guests	\$2,900.00	\$2,900.00	up to 150 guests	\$2,550.00	\$2,550.00						
Noah's Plano/Frisco				up to 100 guests	\$1,500.00	\$1,500.00						

Combined Meeting

R3

Meeting Date: 07/08/2014

Council Goals: Attract new businesses to Addison
Create and implement a Comprehensive Land Use/Revitalization Plan

AGENDA CAPTION:

PUBLIC HEARING Case 1697-SUP/Bitter Sisters Brewing Company. Public hearing, discussion, consider and take action regarding an ordinance changing the zoning on property located at 15103 Surveyor Boulevard, which property is currently zoned I-1, Industrial 1, by approving for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, on application from Bitter Sisters Brewing Company, LLC, represented by Mr. Matt Ehinger.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 15103 Surveyor Boulevard, which property is currently zoned I-1, Industrial-1, by approving for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, subject to no conditions.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

1697-SUP Council Packet



1697-SUP

PUBLIC HEARING Case 1697-SUP/Bitter Sisters Brewing Company. Public hearing, discussion and consideration of a recommendation for approval of an ordinance changing the zoning on property located at 15103 Surveyor Boulevard, which property is currently zoned I-1, Industrial 1, by approving for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, on application from Bitter Sisters Brewing Company, LLC, represented by Mr. Matt Ehinger.



June 20, 2014

STAFF REPORT

RE: Case 1697-SUP/Bitter Sisters Brewing Company

LOCATION: 15103 Surveyor Boulevard

REQUEST: Approval of a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, limited to beer only

APPLICANT: Bitter Sisters Brewing Company, LLC represented by Mr. Matt Ehinger

DISCUSSION:

Background: In 2013, the Texas Legislature adopted bills pertaining to the craft brewing industry that are intended to help the industry grow and flourish in Texas much like it has in other states. Provisions in Senate Bills 516 and 517 authorize brewers and manufacturers that produce less than 125,000 barrels of beer and ale annually to obtain a self-distribution license and/or permit and sell up to 40,000 barrels annually direct to retailers, and provisions in Senate Bill 518 authorize brewers and manufacturers who produce no more than 225,000 barrels annually to sell no more than 5,000 barrels annually of malt beverages produced on the brewery premises to visitors of the brewery to drink on site. Prior to this legislation, breweries could give beer away on site, but could not sell it.

This new legislation makes it easier for small breweries to make craft beers in Texas and allows customers to tour the breweries and consume beer on-site. While the Legislation allows the customers to buy and consume beer on site, it does not allow them to buy the beer in any container (keg, can, or bottle) and take it off the site.

In response to this legislation, the Addison amended the comprehensive zoning ordinance to add microbreweries as allowed uses in any district upon approval of a special use permit.

Proposed Plan: Bitter Sisters Brewing Company is proposing to open Addison's first microbrewery in an 8,500 square foot lease space at 15103 Surveyor Boulevard in an Industrial-1, I-1, district. The site plan shows a space partitioned into two areas. The public area in the front of the building comprises of approximately 1,224 square feet with seating for

41. This would be used for patrons to come to taste and purchase the beer to be consumed on site. The remainder of the space, approximately 7,276 square feet would be dedicated to the actual brewing operation. In order to operate this use, an SUP for a microbrewery and an SUP for the sale of alcoholic beverages for on-premises consumption only, limited to beer only, needs to be approved.

Exterior Facades: The applicant is proposing no major changes to the existing façade.

Parking: This suite would require a total of 20 parking spaces in order to park the tasting room at a ratio of 1 space per 100 square feet and the production area at 1 space per 1,000 square feet. The center provides 54 spaces total and can accommodate this use along with the other existing tenants.

Landscaping: The landscaping at the site has been inspected and is in compliance with the Town's Landscape Ordinance.

RECOMMENDATION:

The Town expressed a desire to attract microbreweries when the comprehensive zoning ordinance was amended to allow the use. Bitter Sisters Brewing Company is a quality operator. Staff recommends approval of the request for a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, limited to beer only, subject to no conditions.

Respectfully submitted,

Charles Goff
Assistant to the City Manager

Land Use Analysis

Attributes of Success Matrix

Bitter Sisters Brewing Company, 15103 Surveyor Boulevard

1697-SUP

Attribute	Comment	Score
Competitive	This use should do well in this space and will add another unique offering that will help keep Addison a destination for visitors.	
Safe	The project will be safe.	
Functional	The space will be functional and is complementary to the uses in the area, however the majority of the parking is located at the rear of the building. This will have to be managed privately by the property owner.	
Visually Appealing	The site is well maintained, but the building itself is dated and was constructed prior to the current masonry construction requirements.	
Supported with Amenities	The site is in a very amenity-rich area and will be located next to Addison's pedestrian trail network.	
Environmentally Responsible	This is an good adapted use for this site. Additionally, the site's landscaping is mature and well maintained.	
Walkable	The project will be located next to Addison's pedestrian trail network and is walkable.	
Overall Assessment	This is a good location for this use and could be the first step in creating a microbrewery district that would be a unique asset for Addison.	



Case 1697-SUP/Bitter Sisters Brewing Company
June 27, 2014

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 15103 Surveyor Boulevard, which property is currently zoned I-1, Industrial-1, by approving for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, subject to no conditions.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

Combined Meeting

R4

Meeting Date: 07/08/2014

Council Goals: Create and implement a Comprehensive Land Use/Revitalization Plan

AGENDA CAPTION:

PUBLIC HEARING Case 1698-SUP/Ramen Hakata. Public hearing, discussion, consider and take action regarding an ordinance changing the zoning on property located at 3714 Belt Line Road, which property is currently zoned PD, Planned Development, through Ordinance 097-031, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Soo Hyun Park represented by Mr. Greg Paik.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 3714 Belt Line Road, which property is currently zoned PD, Planned Development, through Ordinance 097-031, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

1698-SUP Council Packet

1698-SUP

PUBLIC HEARING Case 1698-SUP/Ramen Hakata. Public hearing, discussion and consideration of a recommendation for approval of an ordinance changing the zoning on property located at 3714 Belt Line Road, which property is currently zoned PD, Planned Development, through Ordinance 097-031, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Soo Hyun Park represented by Mr. Greg Paik.



June 20, 2014

STAFF REPORT

RE: Case 1698-SUP/Ramen Hakata
LOCATION: 3714 Belt Line Road
REQUEST: Approval of a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only
APPLICANT: Soo Hyun Park represented by Mr. Greg Paik
DISCUSSION:

Background: This is a 1,600 square foot lease space in a small retail building in front of Addison Town Center. An SUP for a restaurant was approved for this suite when it was originally occupied by Starbucks Coffee. More recently, the fast food concept Burrito Jimmy's operated in this location.

Ramen Hakata will serve traditional Japanese ramen, which is a soupy noodle dish. Ramen shops are growing in popularity with restaurants serving the cuisine opening in several locations around the Dallas area.

Proposed Plan: The site already has an SUP for a restaurant, however the applicant is requesting approval of a special use permit for the sale of alcoholic beverages for on premises consumption only so that they can serve beer, wine and saki.

Exterior Facades: The applicant is proposing no changes to the existing façade.

Parking: The Town's zoning ordinance requires that the parking for a site be located on the same tract of land as the use. The tract for this building includes a total of 56 parking spaces. The site has a parking requirement of 1 space per 100 square feet for restaurants. The required 16 spaces can be accommodated for with the other uses in the building.

Landscaping: The landscaping at the site has been inspected and is in compliance with the Town's Landscape Ordinance.

Food Service Code. The kitchen renovations must meet all requirements of the Food Service Code. The Environmental Services Official has noted that the plans indicate a full-sized and good quality kitchen.

Mechanical Equipment. The applicant should be aware that if any new mechanical equipment is added to the roof of the restaurant, it must be screened from all adjacent properties. The screening mechanism shall be architecturally compatible, and the Building Official shall make the determination of “architecturally compatible”.

Signs. The applicant should be aware that all signs must be permitted under the requirements of the Addison Sign ordinance, and cannot be approved through this process. The applicant should also be aware that the Town has a policy against the use of any terms, such as “bar” or “tavern”, or any graphic depictions that denote alcoholic beverages, in exterior signs.

RECOMMENDATION:

Staff recommends approval of the request for a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs.

Respectfully submitted,

Charles Goff
Assistant to the City Manager

Land Use Analysis

Attributes of Success Matrix

Ramen Hakata, 3714 Belt Line Road

1698-SUP

Attribute	Comment	Score
Competitive	Restaurants have historically struggled on this end of Belt Line Road. This is a unique operator and the ability to serve alcoholic beverages should help.	
Safe	The project will be safe.	
Functional	The floor plan and kitchen will function well.	
Visually Appealing	The center is well maintained and is visually appealing.	
Supported with Amenities	The site is in an amenity-rich area with other restaurants, retail and hotels near by.	
Environmentally Responsible	The site's landscaping meets code and is well maintained.	
Walkable	The project is walkable from within the center and along Belt Line Road.	
Overall Assessment	Ramen Hakata is a quality operator with a concept that is growing in popularity. This, in combination with the ability to serve alcoholic beverages, should help this use be successful in this location.	

Case 1698-SUP/Ramen Hakata
June 27, 2014

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 3714 Belt Line Road, which property is currently zoned PD, Planned Development, through Ordinance 097-031, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

Combined Meeting

R5

Meeting Date: 07/08/2014

Council Goals: Create and implement a Comprehensive Land Use/Revitalization Plan

AGENDA CAPTION:

PUBLIC HEARING Case 1699-SUP/Chuy's Mexican Food. Public hearing, discussion, consider and take action regarding an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR, Local Retail, by amending a Special Use Permit for a restaurant and by amending a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only in order to add an outdoor bar area, on application from Chuy's Mexican Food, represented by Mr. Bill Pounds of Parkway Construction and Associates.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR, Local Retail, by amending a Special Use Permit for a restaurant and by amending a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only in order to add an outdoor bar area, subject to no conditions.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver

Voting Nay: none

Absent: Smith, Wheeler

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

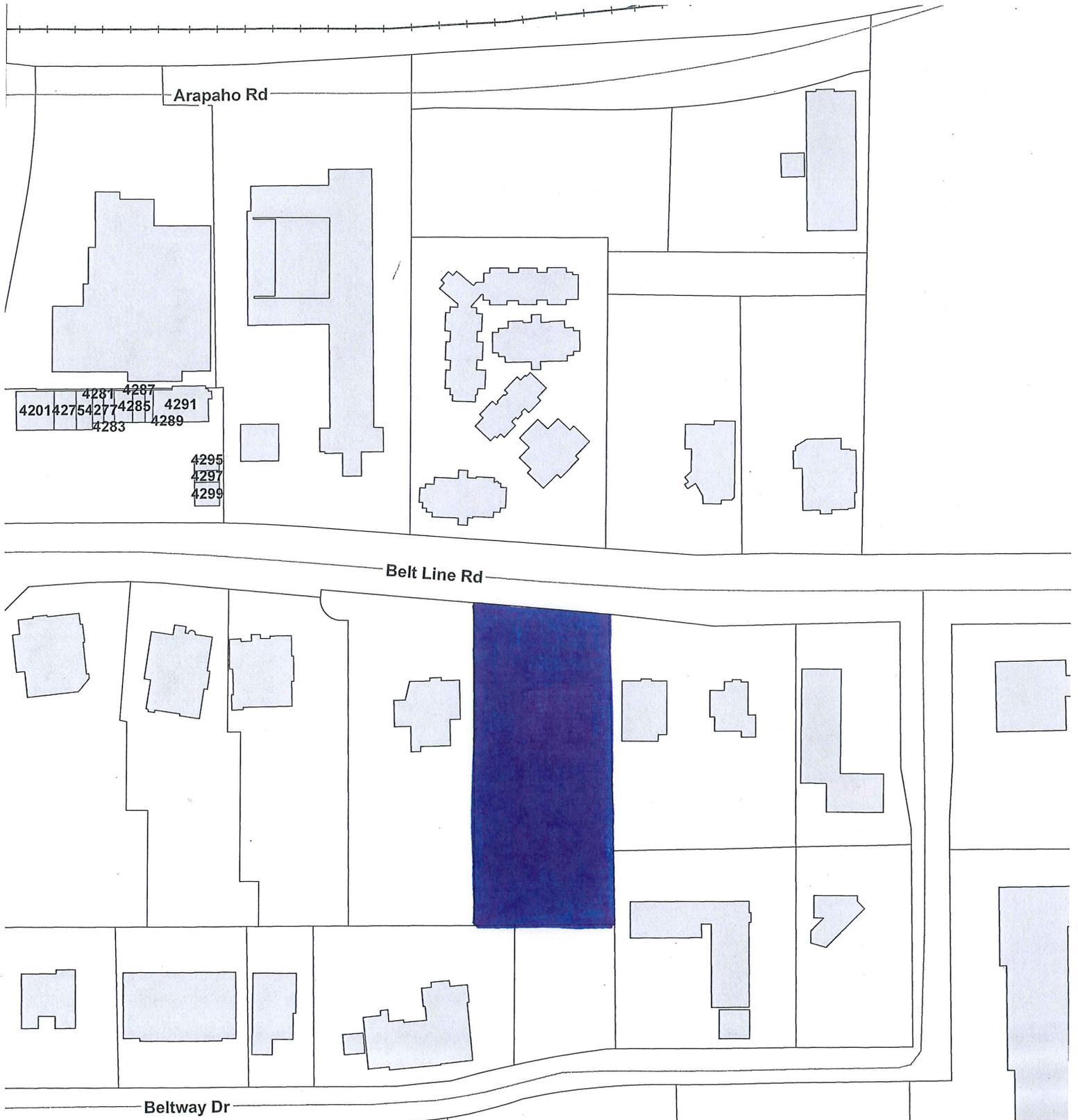
Attachments

1699-SUP Council Packet



1699-SUP

PUBLIC HEARING Case 1699-SUP/Chuy's Mexican Food. Public hearing, discussion and consideration of a recommendation for approval of an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR, Local Retail, by amending a Special Use Permit for a restaurant and by amending a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only in order to add an outdoor bar area, on application from Chuy's Mexican Food, represented by Mr. Bill Pounds of Parkway Construction and Associates.



June 20, 2014

STAFF REPORT

RE: Case 1699-SUP/Chuy's Mexican Food

LOCATION: 4440 Belt Line Road

REQUEST: Approval of an amendment to the Special Use Permit for a restaurant and an amendment to the Special Use Permit for the sale of alcoholic beverages for on-premises consumption only

APPLICANT: Chuy's Mexican Food represented by Mr. Bill Pounds of Parkway Construction and Assoc.

DISCUSSION:

Background: The current Special Use Permit for Chuy's was approved in July of last year. Since that time, Chuy's has constructed a new 11,556 square-foot building. The site plan at that time contemplated that the existing patio and raised decks between the building and Belt Line Road would remain. During the construction process, the decision was made to redo the patio, and staff, as allowed by the code, approved that change administratively.

Proposed Plan: The restaurant has been very popular since it opened in March, with the patio being particularly attractive to patrons. The applicant is seeing high demand for alcohol service on the patio and would like to better facilitate this by adding a bar area directly on the patio. The Town requires that the Special Use Permit for the sale of alcoholic beverages for on-premises consumption be amended when a restaurant increases either the number or the size of the areas from which alcoholic beverages are served. Staff would also like to amend the Special Use Permit for the restaurant in order to update the site plan to reflect the final patio layout.

Exterior Facades: The applicant is proposing no major changes to the existing façade.

Parking: The new bar will replace existing seating on the patio. Since the overall area of the restaurant and patio will not be altered, there is no change to the required parking.

Landscaping: The landscaping at the site has been inspected and is in compliance with the Town's Landscape Ordinance.

RECOMMENDATION:

Chuy's Mexican Food has been a quality addition to Addison's restaurant community and staff recommends approval of the request subject to no conditions.

Respectfully submitted,

Charles Goff
Assistant to the City Manager

Land Use Analysis

Attributes of Success Matrix

Chuy's Mexican Food, 14400 Belt Line Road

1699-SUP

Attribute	Comment	Score
Competitive	This location is in the heart of Addison's restaurant concentration. Chuy's has performed well to date, and this will make it even more attractive.	
Safe	The project will be safe.	
Functional	The additional bar on the patio will help the site be more functional from an operational standpoint.	
Visually Appealing	Chuy's has a unique aesthetic that is visually appealing. Additionally, the site's landscaping is very well maintained.	
Supported with Amenities	The site is in a very amenity-rich area with other restaurants, retail and hotels near by.	
Environmentally Responsible	The new building is more energy efficient and has restored the landscaping back to 20% of the site.	
Walkable	The project is walkable and will be even better once the Beltway Pedestrian enhancements are finalized.	
Overall Assessment	Chuy's is a quality operator that has improved the site tremendously. Staff does not foresee any issues with the additional bar area.	

Case 1699-SUP/Chuy's Mexican Food
June 27, 2014

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on June 26, 2014, voted to recommend approval of an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR, Local Retail, by amending a Special Use Permit for a restaurant and by amending a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only in order to add an outdoor bar area, subject to no conditions.

Voting Aye: Doherty, Groce, Hughes, Hunse, Oliver
Voting Nay: none
Absent: Smith, Wheeler

Combined Meeting

R6

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Presentation and discussion regarding the ponds or lakes within the City at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Attachments

Response to Farmers Branch Report July 2014

**101 E. Southwest Pkwy, Ste 114
Lewisville, TX 75067
(972) 436-9669
FAX: (972) 436-9667**

July 3, 2014

Lisa A. Pyles
Director of Infrastructure Operations and Services
Town of Addison
16801 Westgrove Drive
Addison, TX 75001-5190

Subject: Response to TRC Technical Memorandum Sponsored by the City of Farmers Branch

Dear Ms. Pyles:

KBA EnviroScience, Ltd. (KBA) was contracted by the Town of Addison (Town) to respond to the Technical Memorandum (Report) developed for the City of Farmers Branch by TRC. TRC was commissioned by the City of Farmers Branch to perform stream discharge measurements, estimate gross evaporation losses, develop a water quantity budget, sample groundwater from the Town's groundwater well, and evaluate the water quality of the groundwater well. These activities were conducted, in part, to evaluate the Town of Addison's compliance with their amended Water Use Permit No. 5383A issued on May 31, 2011 by the Texas Commission on Environmental Quality (TCEQ) (the "Permit"). The TRC report is dated April 29, 2014 and was provided to the Town on May 15, 2014 by the City of Farmers Branch.

KBA has read the Report and this document is our analysis of the Report's findings. Section headings in this document refer to the headings in the Report.

Introduction

In the introduction of the report, TRC states that Farmers Branch Creek is perennial, spring fed stream that is a tributary to the Elm Fork of the Trinity River (Segment 0822). When KBA performed the "Delineation of Jurisdiction Waters" on the portion of Farmers Branch Creek that flows through Vitruvian Park, the U.S. Army Corps of Engineers informed us that they consider Farmers Branch Creek an intermittent stream. Springs in the area do contribute water to the stream in the winter, as noted later in the TRC report, but these springs may not be contributing water in the summer during dry years.

Also in the Introduction, TRC states that the total area of the impoundments is 3.06 acres; however, only 2.02 acres of impounded water was the result of the Vitruvian Park development. The remainder of the area (1.04 acres) is the area of the original impoundment by Dam No. 1,

which was there prior to the Vitruvian Park development and permitted to impound state water. The report uses the 3.06 acres to make assumptions and conclusions, while the actual area attributable to the Vitruvian Park development is 2.02 acres.

Stream Discharge

The Report states that TRC performed stream discharge measurements of water entering and exiting the Vitruvian Park reservoirs. Ten sets of measurements were performed at two locations using approved USGS equipment and techniques. TRC concluded that stream flow into the Vitruvian Park reservoirs averaged 0.533 cubic feet per second (cfs), while stream flow out of the Vitruvian Park reservoirs averaged 0.665 cfs. TRC states that this indicates there is no loss of water from seepage out of the reservoirs; rather, there is a net increase in flow through the system. Springs and other groundwater additions were concluded to be the cause of the increased flow. An additional input, which TRC did not note, was that the Town had been adding groundwater through pumping up until the study was conducted. As previously mentioned, it would be typical of an intermittent stream to gain flow from groundwater during February. The groundwater contribution would not, however, be expected to continue through the summer months, especially during drought years.

Evaporation Losses

This section of the Report gives an in depth discussion on how TRC determined the amount of water that would evaporate due to the impoundments and the additional water features of Vitruvian Park. TRC concludes that the gross evaporative losses from the impoundments would average 14.6 acre-ft/year using Texas Water Development Board (TWDB) coefficients. As mentioned previously, TRC used 3.06 surface water acres to estimate these evaporative losses. However, only 2.02 acres of additional surface area was created by the Vitruvian Park development. Therefore, using TWDB coefficients, average gross annual evaporative losses from the reservoirs at Vitruvian Park would be 9.6 acre-feet/year, which is slightly higher than KBA's estimate included in the Water Use Permit application submitted to the TCEQ on behalf of the Town. KBA estimated 8.9 acre-ft/year of evaporation loss using TCEQ protocols. Although KBA calculated 8.9 acre-ft/year of evaporation loss, the Permit requires a minimum of 5.82 acre-ft/year of groundwater be added to the reservoirs.

The Report then calculates estimated enhanced and forced evaporation losses due to the falls and other water features at Vitruvian Park. Enhanced evaporation is due to the increase surface area of the falls and cascades that are exposed to the air. TRC calculates this number to be 0.38 ac-ft, but this number includes the falls over Dam No. 1, which was in place before the construction of the Vitruvian Park development. Assuming the rest of their calculations are correct and removing the falls over Dam No. 1, the average enhanced evaporation loss would be 0.25 acre-ft/year.

Forced evaporation is the evaporation due to the increase in water temperature as it is flows over warm surfaces such as the concrete of the water features in the Vitruvian Park development. Using water temperature measurements provided by City of Farmers Branch and TRC personnel, and using historical meteorological data, TRC calculated the forced evaporation loss to be 0.13 acre-ft/year. These calculations appear correct.

Total evaporation from the Vitruvian Park development was then calculated by adding gross evaporation, enhanced evaporation, and forced evaporation. **Table 1** presents a summary of TRC’s and KBA’s calculations for all evaporative losses from the Vitruvian Park development.

Source	TRC Calculation		KBA Calculation	
	Acre-ft/year	Gallons per Minute (pumping)	Acre-ft/year	Gallons per Minute (pumping)
Gross Evaporation	14.6	9.02	9.6	5.95
Average Enhanced Evaporation	0.38	0.24	0.25	0.16
Average Forced Evaporation	0.13	0.08	0.13	0.08
Total Evaporation	15.08	9.34	9.98	6.19

The current TCEQ Water Use permit does not require the Town of Addison to make up for enhanced or forced evaporation, but if the Town was required to make up for this loss, the current well and pump could easily manage the job. The Town’s Water Use Permit requires 5.82 acre-ft/year to be pumped.

Water Quantity Budget

TRC discusses how make-up water for future evaluation can be determined on a daily, weekly, or monthly basis by using data provided by the USACE for Grapevine Lake. This statement is generally accurate but the Town’s TCEQ Water Use Permit mentions no such requirement. The permit states that the Town of Addison “shall supplement the reservoirs with water from the groundwater well in the amount of a minimum of 5.82 acre-feet per year”. There is no mention of calculating replacement water on a weekly or monthly, or even a yearly basis.

The Report goes on to discuss the make-up of historical evaporation losses that, it is contended, the Town did not account for during construction and prior to the completion of the groundwater well. The Report contends that water began to be impounded by Vitruvian Park in late 2010 or early 2011 and no pumping of groundwater occurred until August 2012. The report also provides that during this time, State water was impounded and eventually used to conduct the initial filling of the reservoir created by Dam No. 2 and for the increase in capacity of the reservoir behind Dam No. 1.

The reservoir behind Dam No. 1 is the same size and volume as it was prior to construction of the Vitruvian Park development. No construction occurred below Dam No. 2 during the construction of Vitruvian Park, although Dam No. 1 was rebuilt at the original elevation subsequent to the construction of the park. The change in volume of the Dam No. 1 reservoir in the permit was only a correction to reflect the actual conditions on site. The original permit for Dam No. 1 had inaccurate information. Therefore, no State waters were used to fill the added capacity of this reservoir since no added capacity of reservoir No. 1 occurred. Also, during the construction of Vitruvian Park, water was diverted around the construction zone to facilitate the work. Photos provided in **Appendix A** show pumps and hoses used to divert water from

upstream of the construction zone to below the construction zone, which then passed over Dam No. 1 as required by the Permit.

The Report continues with a discussion as to how much water the Town of Addison “owes” for not pumping groundwater from early 2011 through August 2012 to account for evaporation during construction. Dam No. 2 was not completed until October 2011 and prior to that, water was being diverted from upstream of Vitruvian Park to below the construction zone so no water was impounded until October 2011. The groundwater well was installed in July 2012. Based on an average annual evaporation rate of 9.6 acre-ft/year (using TRC’s higher evaporation coefficient), the evaporative loss for that period is estimated to be 7.2 acre-ft or 2,346,127 gallons, as compared to the evaporative losses calculated by TRC of 10.95 acre-ft or 3,568,073 gallons.

The initial filling of the reservoir behind Dam No. 2 was accomplished through a rain event, not through impounding state water as the City of Farmers Branch contends. However, even if state water was used to initially fill this impoundment, the total water impounded to initially fill the reservoir behind Dam No. 2 would have been 11.0281 acre-ft or 3,593,517 gallons.

Based on these calculations, the maximum amount of historical water the Town could “owe” is 7.2 acre-ft (evaporation) + 11.0281 acre-ft (filling reservoir) = 18.28 acre-ft or 5,956,556.2 gallons.

From the time the Town of Addison began pumping from the groundwater well in August 2012 through May 31, 2014, a total of 13,166,100 gallons of water has been pumped and discharged over Dam No. 1 (see pumping data in **Appendix B**). During this time, the Town was required by the Permit to pump 3.3 million gallons; therefore, the Town has already pumped approximately 9,866,100 gallons in excess of that required by the Permit, more than compensating for the approximately 6 million gallons of historically impounded water and (theoretical) initial filling of the reservoir behind Dam No. 2.

Groundwater Sampling

TRC collected and analyzed samples from the groundwater well and compared the results of the laboratory analysis to surface water quality standards. These samples exceeded surface water quality standards for dissolved oxygen, total dissolved solids, chloride and sulfate. The Town’s Permit provides that combined stream water and groundwater should meet surface water quality standards. TRC’s study did not include surface water quality analysis. Subsequent to the Report, the City of Farmers Branch conducted surface water quality sampling at the Vitruvian Park Development. Samples were collected upstream of the discharge of the Town’s groundwater pump and downstream of Dam No. 1, the most downstream location of the Vitruvian Park development. Samples were analyzed for pH, TDS, chloride, and sulfate (**Appendix D**). Laboratory analysis showed that water quality for water discharging over Dam No. 1 met the applicable surface water quality standards.

Well and Groundwater Evaluation

TRC evaluated the quality and quantity of groundwater underlying the Vitruvian Park reservoirs. The report notes that the Town's Permit states that groundwater from the Trinity Aquifer would be used to replace evaporation losses from the Vitruvian Park reservoirs but the well the Town is using for the make-up water was installed in the Woodbine Aquifer. The report also states that the Woodbine Aquifer has poor water quality relative to the Trinity Aquifer.

The Town's groundwater well was installed in the Woodbine Aquifer; however, a letter dated February 7, 2013 (**Appendix C**) describing how the well was installed in the Woodbine Aquifer was provided to the TCEQ. Based on a telephone conversation KBA had with Mr. Chris Kozlowski of the TCEQ Water Rights group on February 3, 2014, TCEQ is in receipt of that letter and no further action is required regarding this issue.

TRC also considered the capacity of the well to compensate for evaporation losses from the Vitruvian Park reservoirs. They conclude that the well and aquifer can meet the volume needs to make up for the evaporation losses. KBA agrees with this finding.

TRC's Conclusions / Recommendations and KBA's Response

TRC lists several conclusions and recommendations based on their findings:

- TRC concluded that there are no net seepage losses in the Vitruvian reservoirs. KBA agrees with this conclusion.
- TRC concluded that gross evaporation rates, using Grapevine Lake pan data, for the Vitruvian Park reservoirs average 14.6 acre-ft/year based on the 3.06 surface acres of the Vitruvian Park reservoirs. KBA contends that although the total area of the reservoirs in the Vitruvian Park development is 3.06 acres, the increased surface area due to that development is 2.02 acres not 3.06 acres, which results in 9.6 acre-ft/year of gross evaporation losses.
- TRC concluded that an average of an additional 0.38 acre-ft/year of water is lost from enhanced evaporation due to the falls and water features in the development. KBA notes that this calculation includes the falls over Dam No. 1, which were there prior to the Vitruvian Park development. Therefore, the total enhanced evaporation should only be 0.25 acre-ft/year. The Town's TCEQ permit does not require this evaporation to be taken into account. Nevertheless, the amount of groundwater pumped by the Town has compensated for any enhanced evaporation losses.
- TRC concluded that an additional 0.13 acre-ft/year of forced evaporation occurs on the site. KBA does not dispute this calculation; however, the Town's TCEQ permit does not require this evaporation to be taken into account. Regardless, the amount of groundwater pumped by the Town has replaced any losses due to forced evaporation.
- TRC concluded that total average annual evaporation losses from the Vitruvian Park reservoirs are estimated to be 15.08 acre-ft. KBA calculations show the estimated average annual evaporation losses including enhanced and forced evaporation totals 9.98 acre-ft.

- TRC concluded that the Town began impounding water in late 2010 or early 2011 prior to the installation of the groundwater well and before the Town's Permit was issued. They also conclude that state water was impounded during this time. In fact, no state water was impounded during this time. Water began to be impounded in October 2011, after the Permit was issued. During the course of construction, prior to October 2011, water was diverted from upstream, around the construction zone, and directed back into the stream channel below the construction area.
- TRC concluded that an inadequate volume of water was pumped from the well between August 2012 through December 2013 to make up for water impounded before pumping began and for the initial filling of the reservoir. KBA's calculations indicate that more than twice the amount of water required to compensate for the initial filling of the reservoir and to make up for historic evaporation losses has occurred. Also, as mentioned previously, no State water was used during the initial filling of the reservoir behind Dam No. 2.
- TRC concluded that the groundwater well used for make-up water has the capability to meet long-term quantity and short-term peak quantity needs during the highest evaporation month of record. KBA notes that no short-term peaking needs are required by the Permit. The TCEQ permit requires that a minimum of 5.82 acre-ft/year be pumped into the system; no periodicity is written into the permit.
- TRC concluded that the groundwater well be used to make-up evaporation losses was installed in the Woodbine Aquifer and not the Trinity Aquifer as stated in the Permit. KBA confirmed that TCEQ is aware of this fact and the TCEQ stated that no further action is required by the Town in regards to this issue.
- TRC concluded that groundwater samples taken from the Town's make-up water well contained total dissolved solids (TDS) concentrations of approximately 2,000 – 2,400 mg/L, and that the ground water does not meet the Texas Surface Water Quality Standards for TDS, chloride, or sulfate. However, the Town's Permit states that the "[d]ischarge of commingled groundwater from the reservoirs should be of sufficient quality to meet the Surface Water Quality Standards for Segment No. 0822". That is indeed the case based upon subsequent sampling data taken by the City of Farmers Branch. No issues regarding water quality are present.
- TRC recommended that Grapevine Lake evaporation pan data be used on a real-time basis to determine the amount of make-up water required. KBA disagrees with this recommendation. The Town's TCEQ permit does not require real-time make-up of evaporation losses and KBA discourages this activity due to the demanding logistics. Furthermore, it would not serve any purpose because the Town's pumping of groundwater is meeting all evaporation losses by keeping the reservoirs full.
- TRC recommended that an effective surface area of 3.14 acres plus average monthly values for forced evaporation should be used to calculate evaporation losses. As discussed above, KBA disputes this number. This area includes the area of the reservoir behind Dam No. 1 and the area of the falls over Dam No. 1, both of which were present before the Vitruvian Park development was constructed. The actual area should be 2.09 acres.

- TRC recommended that total evaporation losses and groundwater pumped should be reconciled on at least a weekly basis to maintain streamflows downstream of the reservoirs. However, the Permit requires that the Town keep the reservoirs full. The Permit does not require any other measurements.
- TRC recommended that the use of the Woodbine Aquifer be discontinued and that a new well be installed in the Trinity Aquifer. KBA disagrees with this recommendation. As demonstrated by the City of Farmers Branch data, the water quantity and quality is sufficient to meet Permit requirements.
- TRC recommended that a higher-capacity pump be considered so that if the pump goes out of service, a higher-capacity pump could compensate for lost pumping time. The Permit does not require a higher-capacity pump and the current pump has been demonstrated to be sufficient to meet all evaporation losses.

Based on our review, no further action is required by the Town to meet the requirements of its TCEQ permit. Please let us know if additional information is needed.

Sincerely,



Joseph Schwartz
KBA EnviroScience, Ltd.



C. Keith Bradley, REP, CWB
KBA EnviroScience, Ltd.

APPENDICES

APPENDIX A
CONSTRUCTION PHOTOS



View, facing upstream, of hose used for diverting water from above Dam No. 2 around construction area. Photo taken by the USACE during field visit 9/28/10.



View, facing north, of water being diverted downstream around construction area. Photo taken by the USACE during field visit 9/28/10.



View of pumps and hoses to transfer water from upstream of construction zone to downstream of construction zone. Photo taken by Town of Addison Staff



View of hoses used to divert water around construction area and discharge downstream. Photo taken by Town of Addison staff.



View of hoses used to divert water around construction area and discharge below Dam No. 1.
Photo taken by Town of Addison staff.



View of water being discharged below the newly constructed Dam No. 2. Photo taken by Town
of Addison staff,



View of hoses used to divert water around construction area.

APPENDIX B

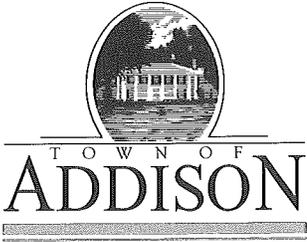
TOWN OF ADDISON PUMPING DATA

Vitruvian Park Water Well Flow Log			Recirculation Pumps Hours		
Date	Day	Gallons	M1	M2	M3
8/6/2012	Monday	367,200			
8/24/2012	Friday	732,200			
9/4/2012	Tuesday	943,300			
9/21/2012	Friday	1,240,600			
9/24/2012	Monday	1,292,600			
9/28/2012	Friday	1,359,400			
10/5/2012	Friday	1,477,600			
10/12/2012	Friday	1,590,400			
10/19/2012	Friday	1,705,800			
11/2/2012	Friday	1,918,000			
11/9/2012	Friday	2,021,500			
11/16/2012	Friday	2,124,600			
11/30/2012	Friday	2,334,400			
12/7/2012	Friday	2,438,500			
12/14/2012	Friday	2,540,900			
12/21/2012	Friday	2,643,200			
12/28/2012	Friday	2,744,400			
1/4/2013	Friday	2,841,800			
1/11/2013	Friday	2,938,600			
1/18/2013	Friday	3,035,400			
1/25/2013	Friday	3,129,600			
2/1/2013	Friday	3,222,200			
2/8/2013	Friday	3,312,600			
2/15/2013	Friday	3,403,000			
2/22/2013	Friday	3,492,700			
3/1/2013	Friday	3,580,500			
3/8/2013	Friday	3,667,200			
3/15/2013	Friday	3,752,300	3318.38	8717.2	8346.4
3/22/2013	Friday	3,835,800	3439.96	8828.57	8457.76
3/29/2013	Friday	3,917,500	3509.29	8946.99	8576.08
4/5/2013	Friday	3,997,600	3601.63	9069.98	8699.16
4/19/2013	Friday	4,159,000	3601.63	9313.81	8949.99
4/26/2013	Friday	4,239,800	3770.73	9883.31	9112.48
5/10/2013	Friday	4,614,600			
5/17/2013	Friday	4,941,600	4236.46	9960.29	9589.49
5/24/2013	Friday	5,266,000	4260.35	10082.76	9711.95
6/7/2013	Friday	5,823,100	4337.92	10399.12	10028.31
6/14/2013	Friday	6,047,000			

Vitruvian Park Water Well Flow Log			Recirculation Pumps Hours		
Date	Day	Gallons	M1	M2	M3
6/21/2013	Friday	6,115,600	4377.92	10703.56	10332.75
6/28/2013	Friday	6,199,600	4377.92	10871.06	10500.25
7/5/2013	Friday	6,276,200			
7/12/2013	Friday	6,422,650			
7/19/2013	Friday	6,748,200	4377.92	11352.76	10981.95
7/26/2013	Friday	7,068,400	4377.92	11519.2	11148.39
8/2/2013	Friday	7,323,500	4377.92	11688.5	11317.69
8/9/2013	Friday	7,507,500			
8/16/2013	Friday	7,660,000	4377.92	12023.95	11653.13
8/30/2013	Friday	8,045,500			
9/6/2013	Friday	8,368,700	4377.92	12527.95	12157.13
9/13/2013	Friday	8,692,200	4377.92	12696.4	12325.65
9/20/2013	Friday	9,028,700			
9/27/2013	Friday	9,282,600	4377.92	13033.63	12662.82
10/4/2013	Friday	9,367,400			
10/11/2013	Friday	9,569,750			
10/18/2013	Friday	9,779,799			
10/25/2013	Friday	9,992,000			
11/1/2013	Friday	10,203,500			
11/8/2013	Friday	10,416,400			
11/15/2013	Friday	10,630,100	4377.92	13943.01	13621.9
11/22/2013	Friday	10,880,800	4377.92	14033.72	13718.81
11/29/2013	Friday	11,031,750	4,460.37	14,123.81	13,804.56
12/6/2013	Friday	11,050,800	4,591.51	14,263.40	13,942.85
12/13/2013	Friday	11,416,200	4,740.56	14,418.21	14,097.10
12/20/2013	Friday	11,404,400	4,908.86	14,586.52	14,265.41
12/27/2013	Friday	11,540,400	5,066.63	14,756.04	14,434.95
1/3/2014	Friday	11,621,650	5,234.00	14,923.38	14,602.27
1/10/2014	Friday	11,621,650	5,401.33	15,090.71	14,769.60
1/17/2014	Friday	11,621,675	5,584.51	15,295.60	14,954.49
1/24/2014	Friday	11,636,200	5,706.56	15,438.38	15,077.28
1/31/2014	Friday	11,691,850	5,852.67	15,565.60	15,244.50
2/7/2014	Friday	11,692,900	5,852.67	15,708.81	15,387.71
2/14/2014	Friday	11,706,200	5,900.85	15,726.99	15,405.89
2/21/2014	Friday	11,789,700	6,064.27	15,752.47	15,431.37
2/28/2014	Friday	11,873,400	6,232.64	15,780.83	15,459.72
3/7/2014	Friday	11,933,350	6,404.44	15,826.48	15,505.34

Vitruvian Park Water Well Flow Log			Recirculation Pumps Hours		
Date	Day	Gallons	M1	M2	M3
3/14/2014	Friday	12,009,900	6,567.45	15,989.47	15,668.35
3/21/2014	Friday	12,207,900	6,731.31	16,157.22	15,836.11
3/28/2014	Friday	12,405,400	6,899.40	16,325.31	16,004.20
4/4/2014	Friday	12,418,450	7,067.61	16,493.52	16,172.41
4/11/2014	Friday	12,418,450	7,208.33	16,640.95	16,319.84
4/18/2014	Friday	12,418,450	7,373.09	16,809.17	16,488.06
4/25/2014	Friday	12,418,450	7,534.80	16,976.50	16,655.39
5/2/2014	Friday	12,509,000	7,702.37	17,144.07	16,822.97
5/9/2014	Friday	12,673,000	7,848.08	17,289.78	16,968.67
5/16/2014	Friday	12,837,700	7,895.56	17,337.26	17,016.15
5/23/2014	Friday	13,002,000	8,064.27	17,505.97	17,184.88
5/30/2014	Friday	13,166,100	8,225.39	16,673.61	17,352.50

APPENDIX C
TCEQ LETTER



Post Office Box 9010

Addison, Texas 75001-9010

5300 Belt Line Road

(972) 450-7000

FAX (972) 450-7043

February 7, 2013.

Chris Kozlowski, Application Manager
Water Rights Permitting Team
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RE: Permit No. 5383A for the Town of Addison

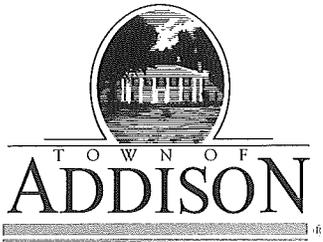
Dear Mr. Kozlowski:

The Town of Addison (Town) is required by the referenced permit (Permit) to maintain and operate an alternate source of water to replace any loss by evaporation due to the Vitruvian Park ponds on Farmers Branch Creek. The supplemental amount required under the Permit is 5.82 acre-feet per year.

The recitals section of the Permit refers to the Trinity Aquifer, stating that it "will be used to maintain the reservoirs at a constant elevation in order to pass inflows of state water." Again, in Section 6.B, the Permit states that the Town "has identified groundwater from the Trinity Aquifer as the alternate source of water for this project."

While drilling and testing the well depths and water quality, the Town's consulting engineer on the well project, Kleinfelder Central, Inc. (Kleinfelder) determined that the Woodbine Aquifer yielded more than adequate water to meet the Permit requirements at substantially less cost (see attached Kleinfelder letter). The well, installed by C. Miller Drilling is at a depth of 642 feet and can produce as much as 16 gpm (over 25 acre-feet per year).

When Kleinfelder verified that sufficient water could be produced from the Woodbine Aquifer to more than meet the Permit requirements, Keith Bradley with KBA EnviroScience, the Town's consultant on this project, contacted the Texas Commission on Environmental Quality (TCEQ) to ask that the Permit be changed from "Trinity Aquifer" to "an aquifer that will supply sufficient water to maintain the reservoirs at a constant elevation in order to pass inflows of state water." Mr. Bradley was told that a letter from the Town stating the Woodbine Aquifer would be used as the alternate source of replacement water, rather than the Trinity Aquifer, with Kleinfelder's supporting documentation, placed in the Town's Permit file, would be acceptable and that a change to the Permit language was not necessary.



PUBLIC WORKS DEPARTMENT
Post Office Box 9010 Addison, Texas 75001-9010

(972) 450-2871 FAX (972) 450-2837
16801 Westgrove

Additionally, we want to clarify that the language in Section 6.B. does not require that the Town release "a minimum of 5.82 acre feet per year ... over the weir in Reservoir No. 1" (the original weir). It means, as stated earlier in Section 6.A, that the Town will replace evaporated water in the two reservoirs with 5.82 acre-feet of groundwater, and will maintain stated elevations in each reservoir, which under normal circumstances will release water over the original weir.

Please add this letter, and the attached letter from Kleinfelder, to the Town of Addison's Permit file to note that the Woodbine Aquifer had sufficient water to meet the alternate source of water requirements in the Permit and to clarify any misunderstanding that may arise from Section 6.B.

Thank you, and please let me know if additional information is needed.

Sincerely,

Lea Dunn
Deputy City Manager

Attachment: Kleinfelder Letter dated July 5, 2012

APPENDIX D

**FARMERS BRANCH CREEK
SURFACE WATER QUALITY DATA**

May 27, 2014

Stacy Wright
City of Farmers Branch
13000 William Dodson Pkwy
Farmers Branch, TX 75381

RE: Project: None Provided
Pace Project No.: 7515422

Dear Stacy Wright:

Enclosed are the analytical results for sample(s) received by the laboratory on May 21, 2014. The results relate only to the samples included in this report. Results reported herein conform to the most current TNI standards and the laboratory's Quality Assurance Manual, where applicable, unless otherwise noted in the body of the report.

If you have any questions concerning this report, please feel free to contact me.

Sincerely,



Lauren Carriker
lauren.carriker@pacelabs.com
Project Manager

Enclosures



REPORT OF LABORATORY ANALYSIS

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CERTIFICATIONS

Project: None Provided

Pace Project No.: 7515422

Dallas Certification IDs:

400 West Bethany Dr Suite 190 75013 Allen TX 75013

Texas Certification #: T104704232-13-5

Kansas Certification #: E-10388

Arkansas Certification #: 88-0647

Oklahoma Certification #: 2012-080

Louisiana Certification #: 02007

REPORT OF LABORATORY ANALYSIS

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SAMPLE SUMMARY

Project: None Provided

Pace Project No.: 7515422

Lab ID	Sample ID	Matrix	Date Collected	Date Received
7515422001	Upstream FB	Water	05/21/14 14:02	05/21/14 15:00
7515422002	Dam 1 Outflow	Water	05/21/14 14:19	05/21/14 15:00

REPORT OF LABORATORY ANALYSIS

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SAMPLE ANALYTE COUNT

Project: None Provided
Pace Project No.: 7515422

Lab ID	Sample ID	Method	Analysts	Analytes Reported
7515422001	Upstream FB	SM 2540C	MRU	1
		EPA 9056A	BAF	2
7515422002	Dam 1 Outflow	SM 2540C	MRU	1
		EPA 9056A	BAF	2

REPORT OF LABORATORY ANALYSIS

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ANALYTICAL RESULTS

Project: None Provided

Pace Project No.: 7515422

Sample: Upstream FB		Lab ID: 7515422001	Collected: 05/21/14 14:02	Received: 05/21/14 15:00	Matrix: Water			
Parameters	Results	Units	Report Limit	DF	Prepared	Analyzed	CAS No.	Qual
Field Data		Analytical Method:						
Collected By	Chris Windham	no units		1		05/21/14 14:02		
Collected Date	05/21/14	no units		1		05/21/14 14:02		
Collected Time	14:02	no units		1		05/21/14 14:02		
Field pH	7.5	Std. Units		1		05/21/14 14:02		
Field pH Ref	SM4500	no units		1		05/21/14 14:02		
Field Temperature	25.2	deg C		1		05/21/14 14:02		
Field Temp Ref	TNI Vol. 1 Module 2	no units		1		05/21/14 14:02		
2540C Total Dissolved Solids		Analytical Method: SM 2540C						
Total Dissolved Solids	361	mg/L	25.0	1		05/21/14 16:12		
9056 IC Anions		Analytical Method: EPA 9056A						
Chloride	35.2	mg/L	1.0	10		05/21/14 18:39	16887-00-6	
Sulfate	81.3	mg/L	1.0	10		05/21/14 18:39	14808-79-8	

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ANALYTICAL RESULTS

Project: None Provided

Pace Project No.: 7515422

Sample: Dam 1 Outflow		Lab ID: 7515422002	Collected: 05/21/14 14:19	Received: 05/21/14 15:00	Matrix: Water			
Parameters	Results	Units	Report Limit	DF	Prepared	Analyzed	CAS No.	Qual
Field Data		Analytical Method:						
Collected By	Chris Windham	no units		1		05/21/14 14:19		
Collected Date	05/21/14	no units		1		05/21/14 14:19		
Collected Time	14:19	no units		1		05/21/14 14:19		
Field pH	7.8	Std. Units		1		05/21/14 14:19		
Field pH Ref	SM4500	no units		1		05/21/14 14:19		
Field Temperature	25.5	deg C		1		05/21/14 14:19		
Field Temp Ref	TNI Vol.1 Module 2	no units		1		05/21/14 14:19		
2540C Total Dissolved Solids		Analytical Method: SM 2540C						
Total Dissolved Solids	303	mg/L	25.0	1		05/21/14 16:12		
9056 IC Anions		Analytical Method: EPA 9056A						
Chloride	28.4	mg/L	1.0	10		05/21/14 19:50	16887-00-6	
Sulfate	58.2	mg/L	1.0	10		05/21/14 19:50	14808-79-8	

REPORT OF LABORATORY ANALYSIS

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QUALITY CONTROL DATA

Project: None Provided

Pace Project No.: 7515422

QC Batch: WET/4116

Analysis Method: SM 2540C

QC Batch Method: SM 2540C

Analysis Description: 2540C Total Dissolved Solids

Associated Lab Samples: 7515422001, 7515422002

METHOD BLANK: 76810

Matrix: Water

Associated Lab Samples: 7515422001, 7515422002

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Total Dissolved Solids	mg/L	ND	25.0	05/21/14 16:08	

LABORATORY CONTROL SAMPLE: 76811

Parameter	Units	Spike Conc.	LCS Result	LCS % Rec	% Rec Limits	Qualifiers
Total Dissolved Solids	mg/L	250	245	98	80-120	

SAMPLE DUPLICATE: 76812

Parameter	Units	7515302001 Result	Dup Result	RPD	Max RPD	Qualifiers
Total Dissolved Solids	mg/L	1080	1040	3	20	

REPORT OF LABORATORY ANALYSIS

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QUALITY CONTROL DATA

Project: None Provided

Pace Project No.: 7515422

QC Batch: WETA/4975 Analysis Method: EPA 9056A
 QC Batch Method: EPA 9056A Analysis Description: 9056 IC Anions
 Associated Lab Samples: 7515422001, 7515422002

METHOD BLANK: 76822 Matrix: Water

Associated Lab Samples: 7515422001, 7515422002

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Chloride	mg/L	ND	0.10	05/21/14 18:21	
Sulfate	mg/L	ND	0.10	05/21/14 18:21	

LABORATORY CONTROL SAMPLE: 76823

Parameter	Units	Spike Conc.	LCS Result	LCS % Rec	% Rec Limits	Qualifiers
Chloride	mg/L	5	4.6	93	90-110	
Sulfate	mg/L	5	4.7	95	90-110	

MATRIX SPIKE & MATRIX SPIKE DUPLICATE: 76824 76825

Parameter	Units	7515422001 Result	MS		MSD		MS % Rec	MSD % Rec	% Rec Limits	RPD	Max RPD	Qual
			Spike Conc.	Spike Conc.	MS Result	MSD Result						
Chloride	mg/L	35.2	50	50	81.2	81.8	92	93	80-120	1	15	
Sulfate	mg/L	81.3	50	50	130	131	97	100	80-120	1	15	

REPORT OF LABORATORY ANALYSIS

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QUALIFIERS

Project: None Provided

Pace Project No.: 7515422

DEFINITIONS

DF - Dilution Factor, if reported, represents the factor applied to the reported data due to changes in sample preparation, dilution of the sample aliquot, or moisture content.

ND - Not Detected at or above adjusted reporting limit.

J - Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.

MDL - Adjusted Method Detection Limit.

PRL - Pace Reporting Limit.

RL - Reporting Limit.

S - Surrogate

1,2-Diphenylhydrazine (8270 listed analyte) decomposes to Azobenzene.

Consistent with EPA guidelines, unrounded data are displayed and have been used to calculate % recovery and RPD values.

LCS(D) - Laboratory Control Sample (Duplicate)

MS(D) - Matrix Spike (Duplicate)

DUP - Sample Duplicate

RPD - Relative Percent Difference

NC - Not Calculable.

SG - Silica Gel - Clean-Up

U - Indicates the compound was analyzed for, but not detected.

N-Nitrosodiphenylamine decomposes and cannot be separated from Diphenylamine using Method 8270. The result reported for each analyte is a combined concentration.

Pace Analytical is TNI accredited. Contact your Pace PM for the current list of accredited analytes.

TNI - The Nelac Institute

REPORT OF LABORATORY ANALYSIS

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QUALITY CONTROL DATA CROSS REFERENCE TABLE

Project: None Provided

Pace Project No.: 7515422

Lab ID	Sample ID	QC Batch Method	QC Batch	Analytical Method	Analytical Batch
7515422001	Upstream FB		FLD/		
7515422002	Dam 1 Outflow		FLD/		
7515422001	Upstream FB	SM 2540C		WET/4116	
7515422002	Dam 1 Outflow	SM 2540C		WET/4116	
7515422001	Upstream FB	EPA 9056A		WETA/4975	
7515422002	Dam 1 Outflow	EPA 9056A		WETA/4975	

REPORT OF LABORATORY ANALYSIS

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without the written consent of Pace Analytical Services, Inc..



Sample Condition Upon Receipt

Dallas

Client Name: City of Farmers Branch Project Work order: 7515422

Courier: FedEX UPS USPS Client Courier LSO PACE Other: _____

Tracking#: _____

Custody Seal on Cooler/Box: Yes No Seals Intact: Yes No NA

Packing Material: Bubble Wrap Bubble Bags Foam None Other

Thermometer Used: (IR-01) Type of Ice: Wet Blue None Sample Received on ice, cooling process has begun

Cooler Temp: 3.6°C (Temp should be above freezing to 6°C)

Chain of Custody Present	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	1
Chain of Custody filled out	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	2
Chain of Custody relinquished	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	3
Sampler name & signature on COC	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	4
Sample received within HT	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	5
Short HT analyses (<72 hrs)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	6
Rush TAT requested	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	7
Sufficient Volume received	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	8
Correct Container used	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	9
Pace Container used	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	
Container Intact	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	10
Unpreserved 5035A soil frozen within 48 hrs	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	11
Filtered volume received for Dissolved tests	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	12
Sample labels match COC	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	13
Include date/time/ID/analyses	Matrix: <u>water</u>	
All containers needing preservation have been checked	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	14a. Lot# of pH strip: _____ pH checked Yes <input type="checkbox"/> No <input type="checkbox"/> pH<2 <input type="checkbox"/> pH>9 <input type="checkbox"/> pH>12 <input type="checkbox"/> Lot# of Iodine strip: _____ Lot# of Lead Acetate strip: _____
Do containers require preservation at the lab	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	14b. Preservation: _____ Lot#: _____
All containers needing preservation are found to be in Compliance with EPA recommendation	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	14c. _____
Exception: VOA, coliform, O&G	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Trip Blank present	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	15
Trip Blank Custody Seals Intact	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	
Pace Trip Blank Lot# (if purchased):	_____	
Headspace in VOA (>6mm)	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	16
Project sampled in USDA Regulated Area:	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	17. List State _____

Client Notification/Resolution/Comments:

Person Contacted: _____ Date: _____

Comments/Resolution: _____

Person Examining Contents: mm Date: 5-21-14

Combined Meeting

R7

Meeting Date: 07/08/2014

Council Goals: Continue to attract, hire, develop, and retain great employees

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding the Town of Addison's compensation philosophy.

FINANCIAL IMPACT:

See attached memo.

BACKGROUND:

See attached memo.

RECOMMENDATION:

Administration recommends proposed compensation presented by staff on June 16, 2014.

Attachments

Proposed Compensation Philosophy 07-08-2014

Proposed Compensation Memo 06-16-2014

Mayor's Proposed Compensation Philosophy

Additional Information on Compensation



To: Mayor & Council
From: Passion Hayes, Director of Human Resources
Through: Lea Dunn, City Manager
Re: Proposed Compensation Philosophy
Date: July 2, 2014

Over the last few months, Council has gone through a process of discussing and considering a proposed compensation philosophy. Our goal was to facilitate a discussion that would enable Council to adopt a philosophy that would accomplish three objectives:

- 1) Define the Town's competitive set – similar cities that the Town competes with to recruit top talent
- 2) Define the Town's market position regarding salaries – 50% percentile or the average of the competitive set, lead and lag the market in salaries
- 3) Define a process where employees can move through the salary ranges

Our recommendation is to plan for compensation or pay plan maintenance in a similar manner as we do with our IT replacement fund and other capital improvement projects. By doing so, Council will have the ability to ensure that the process is sustainable, that there is a more methodical approach to compensation while demonstrating to our employees that they are critical to the success of the organization.

By adopting the proposed compensation philosophy it will allow us to continue to attract the best employees by ensuring that our pay ranges are competitive. It will also allow us to retain our best talent and not become a training community where employees can gain experience and then move on to another comparison city. Lastly, it will allow us to communicate to our employees an adopted compensation philosophy that if they successfully perform their jobs they will have the opportunity to move through the various salary ranges.

Attached is the proposed compensation philosophy presented by staff on June 16, 2014. We have also attached the Mayor's proposed compensation philosophy.

If you have any questions, please let us know.



To: Mayor & Council
From: Passion Hayes, Director of Human Resources
Through: Lea Dunn, City Manager
Re: Proposed Compensation Philosophy
Date: June 12, 2014

Over the last few months, City Council and employees from across the organization have met and discussed a possible compensation philosophy. Based on the discussion and feedback from the meetings, listed below is a proposed compensation philosophy for Council consideration and adoption.

Currently included in the budget is the following statement regarding compensation.

Addison addresses employee compensation through a merit and market pay plan. The purpose of the merit and market pay plan is threefold: to encourage excellence in service by tying salary increases to job performance rather than tenure; to reward employees for their efforts and job performance; and to remain competitive with other Metroplex cities in regards to employee compensation.

The following proposed language articulates how the policy would be administered.

1. Annual budgeting for market and merit compensation that is fair, both internally and externally, and in a way that is financially sustainable. Market is defined as the average (50th percentile) of our comparative cities.
2. Council's philosophy is to provide successfully performing employees the opportunity and ability to reach the adopted pay range midpoint within 5 years and reach the top of the adopted pay range within 10 years.
3. Regular survey analysis to gauge market movement; survey analysis shall be performed at least every three (3) years and any needed market corrections to salary schedule(s) shall be made in a reasonable timeframe, driven by market conditions and the Town's budgetary situation.
4. Ordinarily, an employee's salary will be no less than the entry level or greater than the top salary level for the assigned pay range for the position occupied by the employee.
5. For employees at or above the top salary level for the assigned position, any further salary adjustments or lump sum allowances shall be approved annually by the Town Council.

As you may recall, several of our comparison cities have compensation philosophy statements which are included below.

- Allen – “to maintain market average”
- Farmers Branch – “...to maintain a competitive pay structure for the purpose of recruiting and retaining an effective and efficient work force”
- Frisco – to be in top 3 w/ Plano, Allen, McKinney
- Plano – “...to survey market median actual averages, with target position as current year’s market data plus 5%”
- Richardson – “Top 3rd of comparison cities”
- Coppell – “Top 3rd of comparison cities”
- Carrollton – goal of staying within 5% of market; and they also keep a pool of money for market corrections in event they run into years when increases are not possible.

If you have any questions, please let me know.

Suggested revision in our compensation philosophy;

current; “The purpose of the merit and market pay plan is threefold: to encourage excellence in service by tying salary increases to job performance rather than tenure; to reward employees for their efforts and job performance; and to remain competitive with other metroplex cities in regard to the Town’s compensation program.”

Keep the above and add; “We will annually budget for Market and Merit adjustments for compensation that are fair and sustainable.”



To: Mayor & Council
From: Passion Hayes, Director of Human Resources
Through: Lea Dunn, City Manager
Re: Implementation Costs for Proposed Compensation Philosophy
Date: June 20, 2014

In addition to the compensation information included in your agenda packet, staff wanted to also provide a more detailed breakdown of the implementation costs for fiscal year 2014-2015 for the proposed compensation philosophy.

For public safety employees (sworn police and fire employees), the financial impact of implementation is \$437,162. This includes a cost of \$123,768 to move 44 employees to the new proposed minimum of the salary range. An example of our current entry annual salary and the new proposed entry salary (which is placed at the average of our comparison cities or the 50% percentile) is listed below. In order to prevent compression, the remaining public safety employees would be placed throughout the range for a total of \$313,394.

Sample - Police Officer

Current Entry	Proposed Entry
\$48,006	\$52,807
Current 5-year Average	Proposed 5-year Rate
\$55,453	\$61,218
Current 10-year Average	Proposed 10-year Rate
\$62,317	\$70,928

Sample - Firefighter/Paramedic

Current Entry	Proposed Entry
\$47,524	\$52,276
Current 5-year Average	Proposed 5-year Rate
\$54,251	\$60,602
Current 10-year Average	Proposed 10-year Rate
\$61,036	\$65,840

For civilian employees, the total cost will not exceed \$462,981 and we will provide more detailed information as soon as the market comparison for non-sworn employees is finalized.

To maintain and ensure the ongoing maintenance of the proposed compensation philosophy, annual budgeting for compensation would include setting aside 4% each year for market and merit compensation that will be used for ensuring market competitiveness and providing merit increases for successfully performing employees.

If you have any questions, please let us know.

Combined Meeting

R8

Meeting Date: 07/08/2014

Council Goals: Infrastructure improvement and maintenance
Implement bond propositions

AGENDA CAPTION:

Discussion regarding the financial impact and estimated costs of the Belt Line Road utility undergrounding project.

FINANCIAL IMPACT:

N/A

BACKGROUND:

In 2012, Addison voters approved a bond package that included the undergrounding of the utilities on Belt Line as well as signal upgrades and repaving of the street. The total amount of bond funds available for this project from Marsh Lane to the Dallas North Tollway is \$20 million. Based on the most current information, the estimated cost to complete this project is approximately \$41 million. Council asked staff to prepare a financial analysis detailing the impact of the additional bond funding needed to complete the project. The following analysis provides for an additional \$25 million in bond authorization in 2017 and the associated debt impact.

Staff will be prepared to discuss at the July 8th Regular Meeting.

RECOMMENDATION:

Attachments

2015 Tax Rate Analysis

Bond and Debt Summary

Town of Addison, Texas

Existing Debt and Future Projects

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
										\$26 mil GO Authorization / \$6 mil Vitruvian Park / \$25 mil Beltline						
Existing Debt Detail										8/1/2015	8/1/2016	8/1/2017	8/1/2017	8/1/2017	Net Total	Projected
FYE	TAV ⁽¹⁾	Outstanding Debt Service	Less: Existing Self-Supporting Hotel Debt Service Requirements	Less: Existing Self-Supporting Airport Debt Service Requirements	Less: Existing Self-Supporting W&S Debt Service Requirements	Less: Existing Self-Supporting Drainage Debt Service Requirements	Total Existing Self-Supporting Debt Service Requirements	Net Existing Debt Service	Projected Tax Rate For Existing Debt Service ⁽²⁾	\$6,000,000 @ 5.50% Total D/S	\$13,000,000 @ 5.25% Total D/S	\$3,000,000 @ 5.25% Total D/S	\$25,000,000 @ 5.25% Total D/S	\$10,000,000 @ 5.25% Total D/S	Debt Service Paid by Taxes	Total Calculated Tax Rate ⁽²⁾
2014	\$ 3,490,007.698	\$ 9,864,678	\$ (711,650)	\$ (581,385)	\$ (597,097)	\$ (544,018)	\$ (2,434,149)	\$ 7,430,528	\$ 0.2130						\$ 7,430,528	\$ 0.2130
2015	3,821,000,000	11,104,303	(710,800)	(583,266)	(1,047,315)	(545,066)	(2,886,448)	8,217,855	0.2172						8,217,855	0.2172
2016	3,973,840,000	11,103,415	(711,300)	(587,691)	(1,089,514)	(544,716)	(2,933,222)	8,170,193	0.2077	357,500					8,527,693	0.2168
2017	4,053,316,800	10,754,778	(711,200)	(587,016)	(1,100,495)	(544,266)	(2,942,977)	7,811,800	0.1947	378,625	709,042				8,899,467	0.2218
2018	4,134,383,136	9,881,246	(710,500)	(590,816)	(1,107,832)	(543,716)	(2,952,864)	6,928,382	0.1693	458,538	828,563	170,625	1,363,542	545,417	10,295,065	0.2515
2019	4,217,070,799	9,206,774		(597,966)	(1,116,393)	(546,566)	(2,260,926)	6,945,849	0.1664	455,975	869,375	250,006	1,312,500	525,000	10,358,705	0.2481
2020	4,006,217,259	8,235,231		(602,866)	(1,128,003)	(542,791)	(2,273,660)	5,961,570	0.1503	458,000	1,121,788	249,888	2,145,056	860,944	10,797,245	0.2722
2021	3,805,906,396	7,863,446		(219,766)	(1,131,149)	(542,266)	(1,893,182)	5,970,265	0.1585	454,613	1,126,325	249,506	2,148,856	857,438	10,807,700	0.2868
2022	3,615,611,076	7,806,956		(219,666)	(1,138,580)	(544,766)	(1,903,012)	5,903,944	0.1649	455,813	1,124,419	248,863	2,145,163	858,013	10,736,212	0.2999
2023	3,760,235,519	7,818,534		(218,691)	(1,144,583)	(544,991)	(1,908,266)	5,910,268	0.1588	456,463	1,126,069	247,956	2,148,844	857,538	10,747,137	0.2887
2024	3,910,644,940	7,816,215		(216,816)	(1,147,845)	(542,866)	(1,907,528)	5,908,687	0.1526	456,563	1,126,144	251,656	2,144,769	856,013	10,743,831	0.2775
2025	3,988,857,839	7,831,371		(214,691)	(1,151,949)	(544,866)	(1,911,506)	5,919,865	0.1499	456,113	1,124,644	249,963	2,147,806	858,306	10,756,696	0.2724
2026	4,068,634,995	7,849,128		(217,191)	(1,155,723)	(545,866)	(1,918,781)	5,930,347	0.1472	455,113	1,126,438	248,006	2,147,694	859,288	10,766,884	0.2673
2027	4,150,007,695	7,859,374		(219,191)	(1,157,592)	(545,866)	(1,922,650)	5,936,725	0.1445	453,563	1,126,394	250,656	2,144,431	858,956	10,770,725	0.2622
2028	3,942,507,311	7,398,778		(215,816)	(1,158,671)	(544,866)	(1,919,353)	5,479,424	0.1404	456,325	1,124,513	247,913	2,147,756	857,313	10,313,243	0.2642
2029	3,745,381,945	6,951,039		(217,876)	(1,055,206)	(544,891)	(1,817,973)	5,133,066	0.1384	453,400	1,125,663	249,775	2,147,406	859,225	9,968,535	0.2688
2030	3,558,112,848	6,954,048		(215,348)	(1,059,364)	(545,914)	(1,820,625)	5,133,423	0.1457	454,788	1,124,713	251,113	2,148,250	859,563	9,971,848	0.2831
2031	3,629,275,105	6,963,104		(217,365)	(1,056,519)	(545,749)	(1,819,633)	5,143,472	0.1432	455,350	1,121,663	247,056	2,145,156	858,325	9,971,022	0.2775
2032	3,701,860,607	6,946,151		(218,814)	(1,055,869)	(544,371)	(1,819,054)	5,127,097	0.1399	455,088	1,126,250	247,606	2,147,863	860,381	9,964,284	0.2719
2033	3,775,897,819	5,550,569		(219,703)	(1,055,724)	(546,703)	(1,822,130)	3,728,440	0.0997	454,000	1,123,344	247,631	2,146,106	860,600	8,560,121	0.2290
2034	3,851,415,775	2,091,288			(561,000)		(561,000)	1,530,288	0.0401	456,950	1,122,944	252,000	2,144,756	858,981	6,365,919	0.1670
2035	3,928,444,091	619,950						619,950	0.0159	453,938	1,124,788	250,713	2,148,419	860,394	5,458,200	0.1403
2036	4,007,012,973	615,459						615,459	0.0155	454,963	1,123,744	248,900	2,146,831	859,706	5,449,603	0.1374
2037	4,087,153,232	620,294						620,294	0.0153	454,888		251,431	2,144,863	856,919	4,328,394	0.1070
2038	4,168,896,297	-						-		458,575					458,575	0.0111
2039	4,252,274,223	-						-		456,025					456,025	0.0108
2040	4,337,319,707	-						-		457,238					457,238	0.0106
2041	4,424,066,101															
		\$ 169,706,129	\$ (3,555,450)	\$ (6,961,943)	\$ (22,216,423)	\$ (10,895,123)	\$ (43,628,940)	\$ 126,077,189		\$ 11,218,400	\$ 21,526,817	\$ 4,911,263	\$ 41,316,067	\$ 16,528,317	221,578,052	

Assumptions:

(1) FY 2014 Based on Dallas County Appraisal District certified tax roll. FYE 2015 supplied by Town Staff. Future values assume 4% growth for 2016, 2% growth for 2017-2019, 5% loss for 2020-2022, 4% growth 2023-2024, 2% growth 2025-2027, 5% loss 2028-2030 and 2% growth thereafter. Growth projections provided by Town Staff.

(2) Collection Percentage: 99%



2012 Bond Projects Summary

Proposition	Project	Amount Authorized in 2012	Other Funding Sources	Amount	Total Funding Available	Issued To Date	Spent To Date	Updated Cost Estimate
1	Midway Road	\$ 16,000,000		\$ -	\$ 16,000,000	\$ 3,000,000	\$ 15,429	TBD
	Vitruvian Streets	\$ 10,000,000	Future COs	\$ 6,000,000	\$ 16,000,000	\$ -	\$ -	\$ 16,000,000
	Belt Line Electronic Signage	\$ 500,000		\$ -	\$ 500,000	\$ 500,000	\$ -	TBD
	Land Acquisition for Streets	\$ 3,000,000		\$ -	\$ 3,000,000	\$ 3,000,000	\$ -	TBD
2	Belt Line Road Improvements and Undergrounding	\$ 10,000,000	2000 Bond Election	\$ 10,830,000	\$ 20,830,000	\$ 20,830,000	\$ 1,945,140	\$ 41,000,000
3	Land Acquisition for Addison Airport	\$ 7,000,000		\$ -	\$ 7,000,000	\$ 7,000,000	\$ 6,824,000	\$ 6,957,000
4	Land Acquisition for the Addison Arts and Events District	\$ 3,000,000		\$ -	\$ 3,000,000	\$ -	\$ -	TBD
5	Communications Equipment and Wireless Network Infrastructure	\$ 2,000,000		\$ -	\$ 2,000,000	\$ 2,000,000	\$ 15,600	\$600,000-\$1,843,000
6	Public Park and Pedestrian Trail Improvements	\$ 3,500,000	County Match/CIP Funds	\$ 560,900	\$ 4,060,900	\$ 3,680,000	\$ 604,316	\$ 3,914,316

Combined Meeting

R9

Meeting Date: 07/08/2014

Council Goals: Infrastructure improvement and maintenance

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding rejecting all bids for the relocation of water, sewer, and storm water drainage system on Addison Airport to accommodate the construction of a new \$3 million hangar at Addison Airport.

FINANCIAL IMPACT:

N/A

BACKGROUND:

In order to facilitate the construction of a new \$3 million hangar, the Town agreed to pay for the relocation of the public and private franchise utilities. The project was designed and the bid package prepared by Cobb Fendley engineers. Bids were opened on June 27th and only one bid was received. The bidder did not have sufficient relevant experience to perform the utility relocation work. Staff recommends that the bid be rejected and that the project be rebid. Once the new bid period is closed, staff will seek council's approval to award the project.

RECOMMENDATION:

Administration recommends approval.

Combined Meeting

R10

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion regarding the Elevated Storage Tank located within the Town adjacent to the southeast corner of the intersection of Surveyor Boulevard and Arapaho Road and the wind turbines located thereon.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R11

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding the Mayor's weekly newsletter.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R12

Meeting Date: 07/08/2014

Council Goals: Identify opportunities for improved governance

AGENDA CAPTION:

Discussion, consider, and take action regarding modifications to the City Council's Procedures.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Attachments

Memo

Revision to the City Council Procedures

COWLES & THOMPSON

MEMORANDUM

TO: Mayor Todd Meier, City Council Members, City Manager Lea Dunn

FROM: John Hill

RE: Council Rules of Procedure Ordinances, to Campaign

DATE: July 2, 2014

Mayor, Council members, and Ms. Dunn, attached is a copy of the Council Rules of Procedure with one modification to Section 2.C. to change “may” to “will”:

An item **will** ~~may~~ be placed on the agenda at the request of two or more Council members. The Council members requesting the agenda item may present or participate in the presentation of the item at the meeting.

If you have any questions or comments or would like to discuss, please let me know.

CITY COUNCIL PROCEDURES

SECTION 1. MEETINGS

Three types of meetings are recognized:

- A. Regular Meetings will be held on the second and fourth Tuesday of each month. Meetings will be held at Town Hall in the Council Chambers commencing at 7:30 p.m., unless otherwise posted.
- B. Special Meetings are subject to call by the Mayor, City Manager, or three members of the City Council with written notice to the City Secretary. These meetings will be held at Town Hall unless otherwise posted, at a stated time.
- C. Work Session Meetings are subject to call by the Mayor, City Manager, or three members of the City Council with written notice to the City Secretary. The time, place, and purpose will be stated in each instance. Ordinarily, no official Council action will be taken at a work session meeting.

SECTIONS 2. AGENDAS

The following procedures relate to the agenda for meetings of the Council.

- A. The Mayor, working with the City Manager, will determine what items of business should come before the Council. If, at a meeting of the Council, a member of the Council (i.e., the Mayor and each Council member) or the public inquires about a subject for which notice has not been given as required by law, only the following may be provided unless otherwise allowed by law: (1) a statement of specific factual information given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Unless otherwise allowed by law, any deliberation of or decision about the subject of such inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.
- B. Any Council member may ask the Mayor to place an item on the agenda for discussion.
- C. An item ~~will~~ may be placed on the agenda at the request of two or more Council members. The Council members requesting the agenda item may present or participate in the presentation of the item at the meeting. Any Town staff assistance should be requested through the City Manager's Office. Such agenda items must reach the City Secretary's office at Town Hall by 1:00 p.m., Tuesday, of the week preceding the meeting for which the request is made.
- D. Any member of the Town staff wishing to have an item placed on the agenda shall submit that item to the City Manager's Office for approval. The City Manager may establish procedures for submission of routine items without his approval.

E. The agenda packets for all Regular Meetings will be delivered electronically by Town staff to members of the Council no later than the Thursday preceding the meetings.

F. The City Secretary's office is responsible for seeing that notices for all meetings of the Council comply with the Open Meetings Law.

SECTION 3. COUNCIL MEETING PROCEDURES

The Council will use the following procedures as a general guide for parliamentary procedure, and may consult Robert's Rules of Order as a guide in instances not addressed by these procedures.

A. The Mayor shall be the presiding officer at all meetings. The Mayor Pro-Tempore shall preside at meetings in the absence of the Mayor, and the Deputy Mayor Pro-Tempore shall preside at meetings in the absence of the Mayor Pro-Tempore.

B. The Mayor shall have a voice in all matters before the Council and may vote on all matters.

C. When an item is presented to the Council, the Mayor (or presiding officer) shall recognize the appropriate individual to present the item. When two or more members are presenting an item, the Mayor shall choose which member is to speak first.

D. The Mayor (or presiding officer) shall preserve order and shall require Council members engaged in debate to limit discussion to the question under consideration.

E. The Mayor (or presiding officer) will give all members of the Council a full opportunity to speak on an item.

F. Should a conflict arise between Council members, the Mayor (or presiding officer) shall serve as the mediator.

G. The Mayor shall be recognized as head of the Town government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative duties. If the Mayor is absent, the Mayor Pro-Tempore, and in the absence of the Mayor Pro-Tempore the Deputy Mayor Pro-Tempore, shall be so recognized.

H. Members of the Council shall confine their remarks to the item under consideration and shall avoid references to personality, integrity, or motives of any other members of the Council or Town staff members.

I. Any Council member may ask the Mayor (or presiding officer) to enforce the procedures established by the Council. Should the Mayor (or presiding officer) fail to do so, a majority of the Council may direct him/her to enforce the procedures.

SECTION 4. CODE OF CONDUCT FOR MAYOR AND COUNCIL MEMBERS

A. During Council meetings, Members of the Council shall preserve order and decorum, shall not interrupt or delay proceedings, and shall not refuse to obey the orders of the Mayor (or presiding officer) or the rules of the Council. Members of the Council shall demonstrate respect and courtesy to each other, Town staff members, and citizens appearing before the Council. Members of the Council shall refrain from rude and derogatory remarks.

B. The Mayor and Council members should comply with the Town's Code of Ethics (included in Chapter 2, Article III, Division 2 of the Town's Code of Ordinances and attached hereto as Appendix A) and with all conflict of interest laws.

C. In accordance with the Town's Code of Ethics and with applicable law, the Mayor and Council members shall abstain from participating in or voting on items in which they have a conflict of interest as set forth in the Code of Ethics or applicable law. If the Mayor or a Council member has such a conflict of interest, he or she shall file a "Conflict of Interest Affidavit" with the City Secretary's office. Upon introduction of the agenda item in which the Mayor or Council member has a conflict of interest, the Mayor or Council member should announce that he or she has a conflict of interest, and must refrain from participation in or voting on the agenda item, but shall not be required to leave the meeting room.

SECTION 5. CITIZEN PARTICIPATION AT MEETINGS

A. The Council is, in certain instances (e.g., changes in zoning), required to hold public hearings. If an item is identified on the agenda of a Council meeting as a public hearing, persons attending the Council meeting will be given the opportunity to speak regarding the item after being recognized by the Mayor (or presiding officer). The Mayor (or presiding officer) may set time limits on persons who speak at a public hearing.

B. Except as set forth in paragraph A of this Section, as a general rule, persons attending a meeting of the Council may not participate in the discussions of the Council.

SECTION 6. COUNCIL AND STAFF RELATIONS

A. Members of the Council should attempt to ask questions to the City Manager about the Council agenda packet issued for a Council meeting prior to the meeting. This will allow the Town staff time to respond to the Council member's questions and, if necessary, to provide additional information to all members of the Council.

B. The City Manager shall designate the appropriate Town staff member to address each agenda item and shall see that each presentation informs the Council on the issues which require Council action. The presentations should be professional and timely, and should list options available for resolving any issue.

C. The City Manager is directly responsible for providing information to all members of the Council concerning any inquiries by a specific member of the Council. Should the City Manager find his or his staff's time being dominated by a single member, he should inform the Mayor of the concern.

D. Any conflicts between the staff and the Council will be addressed by the Mayor and the City Manager.

E. The City Manager is responsible for the professional and ethical behavior of himself and his staff. He is also responsible for seeing that his staff remains educated and informed on the issues facing municipal government.

F. All members of the Council and Town staff members shall show respect and courtesy to each other and citizens at all times.

G. The City Manager is responsible for seeing that all newly (first time) elected members of the Council are provided with a thorough orientation on Town staff procedures, municipal facilities, and other information of interest to municipal officials.

SECTION 7. COUNCIL AND MEDIA RELATIONS

A. Agenda packets shall be provided upon request to all interested news media in advance of the Council meetings.

B. Responses to media inquiries concerning Town matters will be made as determined by the Mayor (or Mayor Pro-Tempore in the absence of the Mayor, or in the absence of the Mayor Pro-Tempore, the Deputy Mayor Pro-Tempore) and the City Manager.

Combined Meeting

R13

Meeting Date: 07/08/2014

Council Goals: Identify opportunities for improved governance

AGENDA CAPTION:

Discussion, consider, and take action regarding an Ordinance amending Section 2-93 (Standards of Conduct) of the Code of Ordinances, being a portion of the Town Code of Ethics, by (A) amending subsection (11) thereof, which prohibits the use of official position and Town resources for private purposes, personal advantage, pecuniary gain, or a political campaign, by providing that the prohibition shall not prohibit members of the Council from lending their name and official Town title in connection with an election for public office or an election ordered by the Town on a proposition or measure, and (B) amending subsection (12) thereof, which prohibits the use of prestige of an official's position with the Town for a political party, by providing that it is not a violation of that subsection for members of the Council to lend their name and official Town title in connection with an election for public office or an election ordered by the Town on a proposition or measure.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Attachments

Memo

Ordinance

Ethics Policy

COWLES & THOMPSON

MEMORANDUM

TO: Mayor Todd Meier, City Council Members, City Manager Lea Dunn

FROM: John Hill

RE: Council Rules of Procedure Ordinances, to Campaign

DATE: July 2, 2014

Mayor, Council members, and Ms. Dunn, attached is a proposed Ordinance that modifies Sections 2-93(11) and (12) of Chapter 2 of the Code of Ordinances, part of the Town's Code of Ethics, regarding use of official position. The proposed modification to subsection (11) is essentially verbatim to a provision in the code of ethics of the City of Dallas.

If you have any questions or comments or would like to discuss, please let me know.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE TOWN’S CODE OF ORDINANCES BY AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE III (OFFICERS AND EMPLOYEES), DIVISION 2 (CODE OF ETHICS), SECTION 2-93 (STANDARDS OF CONDUCT) THEREOF BY (A) AMENDING SUBSECTION (11) OF SECTION 2-93, WHICH PROHIBITS THE USE OF OFFICIAL POSITION AND TOWN RESOURCES FOR PRIVATE PURPOSES, PERSONAL ADVANTAGE, PECUNIARY GAIN OR A POLITICAL CAMPAIGN, BY PROVIDING THAT THE PROHIBITION SHALL NOT PROHIBIT MEMBERS OF THE COUNCIL FROM LENDING THE MEMBER’S NAME AND OFFICIAL CITY TITLE IN CONNECTION WITH ANY ELECTION FOR PUBLIC OFFICE AND ANY ELECTION ORDERED BY THE TOWN ON A PROPOSITION OR MEASURE, AND (B) AMENDING SUBSECTION (12) OF SECTION 2-93, PROHIBITING USE OF PRESTIGE OF AN OFFICIAL’S POSITION IN BEHALF OF A POLITICAL PARTY, BY PROVIDING THAT IT IS NOT A VIOLATION OF THAT SUBSECTION FOR MEMBERS OF THE COUNCIL TO LEND THE MEMBER’S NAME AND OFFICIAL CITY TITLE IN CONNECTION WITH ANY ELECTION FOR PUBLIC OFFICE AND ANY ELECTION ORDERED BY THE TOWN ON A PROPOSITION OR MEASURE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Amendment. The Code of Ordinances of the Town of Addison, Texas (“City”) is hereby amended by amending Chapter 2 (Administration), Article III (Officers and Employees), Division 2 (Code of Ethics) thereof as set forth below, and no other chapters, articles, divisions, sections, paragraphs, sentences, phrases or words of the said Code of Ordinances are amended hereby:

A. Section 2-93(11) of the said Code of Ordinances is amended so that it shall hereafter read as follows (additions are underlined; deletions are ~~struck through~~; where asterisks (*****) are used, the same represents text of a section that is not included herein and is not amended or modified by this Ordinance):

Section 2-93. Standards of conduct.

No official shall:

* * * * *

(11) Use his official position or town-owned facilities, personnel, equipment, supplies, vehicles, printing facilities, postage facilities, long-distance telephone services or any

other resources for private purposes, personal advantage, pecuniary gain for such official or for others or for any political campaign for himself or others. However, this shall not prohibit:

a. _____ an official from using his official position to promote or encourage economic development and businesses within the town, provided (~~ia~~) the official, and any person related to the official within the second degree by consanguinity or affinity, does not receive a benefit from such promotion or encouragement, and (~~ii~~) the promotion or encouragement of economic development and businesses is not for the purpose of promoting, and does not promote, other than incidentally, the official or any person related to the official within the second degree by consanguinity or affinity; or

b. _____ a member of the city council, including the mayor and each council member, from lending the member's name and official city title in connection with any election for public office or in connection with any election ordered by the town on a proposition or measure.

(12) Use the prestige of his position with the town in behalf of any political party; however, it is not a violation of this subsection (12) if a member of the city council lends the member's name and official city title as described in subsection (11).b. above.

* * * * *

Section 2. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 3. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall become effective from and after its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the ____ day of _____, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

PART II - CODE OF ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE III. - OFFICERS AND EMPLOYEES
DIVISION 2. - CODE OF ETHICS

DIVISION 2. - CODE OF ETHICS ^[8]

⁽⁸⁾ **Charter reference**— Restrictions on acceptance of gifts, § 11.01; prohibited interests in contracts, § 11.02.

[Sec. 2-91. - Definitions.](#)

[Sec. 2-92. - Policy.](#)

[Sec. 2-93. - Standards of conduct.](#)

[Sec. 2-94. - Prohibition on conflict of interest.](#)

[Sec. 2-95. - Restrictions on former town officers and employees.](#)

[Sec. 2-96. - Accepting employment from an entity regulated by town prohibited.](#)

[Secs. 2-97—2-115. - Reserved.](#)

Sec. 2-91. - Definitions.

The following words, terms and phrases when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board means a board, commission or committee which is established by town ordinance, town Charter, interlocal contract or state law and any part of whose membership is appointed by the city council.

Business entity or *entity* mean a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust or any other entity recognized in law.

Employee means a person employed or paid a salary by the town on a full-time basis excluding officers.

Incidental interest means an interest in a person, entity or property which is not a substantial interest and which has insignificant value, or which would be affected only in a de minimis fashion by a decision. This division does not establish dollar limits on the terms "insignificant value" and "de minimis," which shall have their usual meanings and be subject to interpretation on a case by case basis.

Interest or *benefit* means anything reasonably regarded as economic gain or economic advantage, other than incidental or remote interests. The term applies to the official and also to any person who is related to such official within the second degree by consanguinity or affinity.

Officer means the mayor and members of the city council.

Official means officers, employees and members of any board which is established by

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town ordinances, town charter, interlocal contract, or state law and any part of whose membership is appointed by the city council.

Remote interest means an interest of a person or entity, including an official who would be affected in the same way as the general public. The interest of a councilmember in the property tax rate, general town fees, town utility charges or a comprehensive zoning ordinance or similar decisions is incidental to the extent that the councilmember would be affected in common with the general public.

(Code 1982, § 2-2)

Cross reference— Definitions generally, § 1-2.

Sec. 2-92. - Policy.

(a) It is hereby declared to be the policy of the town that the proper operation of democratic government requires that:

- (1) Officials be independent, impartial and responsible only to the people of the town;
- (2) Governmental decisions and policy be made using the proper procedures of the governmental structure;
- (3) No official have any interest, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his duties in the public interest;
- (4) Public office not be used for personal gain;
- (5) The city council at all times be maintained as a nonpartisan body; and
- (6) Officials fully comply with state statutes, as amended, concerning conflicts of interest.

(b) To implement this policy, the city council has determined that it is advisable to enact this code of ethics for all officials, whether elected or appointed, paid or unpaid, advisory or administrative, to serve not only as a guide for official conduct of the town's public servants, but also as a basis for discipline for those who refuse to abide by its terms.

(Code 1982, § 2-3)

Sec. 2-93. - Standards of conduct.

No official shall:

- (1) Accept or solicit any money, property, service or other thing of value by way of gift, favor, loan or otherwise which he knows or should know is being offered or given with the intent to unlawfully influence such person in the discharge of official

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duties, or in return for having exercised or performed official duties.

State law reference— Bribery, V.T.C.A., Penal Code § 36.02; gift to public servant by person subject to his jurisdiction, V.T.C.A., Penal Code § 36.08.

(2) Use his official position to secure special privileges or exemptions for himself or others.

(3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. (This shall not prohibit the granting of fringe benefits to town employees as part of their contract of employment or as an added incentive to the securing or retaining of employees).

(4) Disclose information deemed confidential by law that could adversely affect the property or affairs of the town, or directly or indirectly use any information understood to be confidential which was gained by reason of his official position or employment for his own personal gain or benefit or for the private interest of others.

(5) Transact any business on behalf of the town in his official capacity with any entity with which he is an officer, agent or member or in which he has an interest. In the event that such a circumstance should arise, no violation of this subsection occurs if he shall make known his interest, and:

a. In the case of an officer or board member, refrain from discussing the matter at any time with members of the body of which he is a member or any other body which will consider the matter and abstain from voting on the matter; or

b. In the case of an employee, turn the matter over to his superior for reassignment, state the reasons for doing so and have nothing further to do with the matter involved.

(6) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his duties and responsibilities with the town, or which might impair his independent judgment in the performance of his public duty.

(7) Personally provide services for compensation, directly or indirectly, to a person, entity or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or employee is a member. This restriction does not apply to outside employment of an officer if the employment is the officer's primary source of income.

(8) Receive any fee or compensation for his service as an officer or employee of the town from any source other than the town, except as may be otherwise provided by law. This shall not prohibit his performing the same or other services for a public or private organization that he performs for the town if there is no conflict with his town duties and responsibilities.

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(9) In the case of a member of the city council or an employee, personally represent, or appear in behalf of, the private interests of others:

- a. Before the city council or any town board or department;
- b. In any proceeding involving the town; or
- c. In any litigation to which the town is a party.

(10) In the case of a board member, personally represent, or appear in behalf of, the private interests of others:

- a. Before the board of which he is a member;
- b. Before the city council;
- c. Before a board which has appellate jurisdiction over the board of which he is a member; or
- d. In litigation to which the town is a party if the interests of the person being represented are adverse to the town and the subject of the litigation involves the board on which the board member is serving or the department providing support services to that board.

(11) Use his official position or town-owned facilities, personnel, equipment, supplies, vehicles, printing facilities, postage facilities, long-distance telephone services or any other resources for private purposes, personal advantage, pecuniary gain for such official or for others or for any political campaign for himself or others. However, this shall not prohibit an official from using his official position to promote or encourage economic development and businesses within the town, provided (a) the official, and any person related to the official within the second degree by consanguinity or affinity, does not receive a benefit from such promotion or encouragement, and (b) the promotion or encouragement of economic development and businesses is not for the purpose of promoting, and does not promote, other than incidentally, the official or any person related to the official within the second degree by consanguinity or affinity

(12) Use the prestige of his position with the town in behalf of any political party.

(13) Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of valid town ordinances, rules or regulations or the achievement of official town programs.

(14) Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the town or that reflects discredit upon the government of the town.

(Code 1982, § 2-4(a)—(n))

Charter reference— Prohibited interests in contracts, § 11.02.

Sec. 2-94. - Prohibition on conflict of interest.

An official may not participate in a vote or decision on a matter affecting a person, entity or property in which the official has an interest. In addition, an official who serves as a corporate officer or member of the board of directors of a nonprofit entity which is not appointed by the city council may not participate in a vote or decision regarding funding by or through the town for the entity. Where the interest of an official in the subject matter of a vote or decision is remote or incidental, such official may participate in the vote or decision and need not disclose the interest.

(Code 1982, § 2-5)

Sec. 2-95. - Restrictions on former town officers and employees.

(a) When used in this section, the terms "before the town" shall mean before any official of the town.

(b) When used in this section, the term "represent" shall include all communications with and appearances before the town in which the town is asked to make a decision, as that term is defined in this chapter. The term "represent" does not include communications and appearances involving only ministerial action on the part of the town.

(c) When used in this section, the term "case, project or matter" shall refer to specific cases, projects or regulatory matters, rather than generic policies, procedures or legislation of general application. For instance, the zoning process or site plan review process is not a "case, project or matter" within the meaning of this section; however, a specific zoning case or site plan would constitute a "case, project or matter" subject to the restrictions imposed in this section. It is not the intent of this division, and this division shall not be construed, to proscribe the practice of any profession or occupation by former town officials and employees other than before the town and as provided in section 2-96

(d) An employee in a position which involves significant decision-making, advisory, or supervisory responsibility, or an officer who leaves the service or employment of the town shall not, within 12 months after leaving that employment or service, represent any other person or entity in any formal or informal appearance, if the officer or employee has received or shall receive remuneration from the person, entity or members of the entity being represented:

- (1) Before the town concerning a case, project or matter over which the person exercised discretionary authority as an employee or officer; or
- (2) Before any other agency on a case, project or matter over which the person exercised discretionary authority as an employee or officer.

(e) A former employee or officer who is subject to the requirements of subsection (d) of this section shall, during the 24 months after leaving the service or employment of the

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town, disclose his previous position and responsibilities with the town and the work performed, if any, as an employee or officer regarding the matter for which he is appearing before the town whenever he represents any other person or entity in any formal or informal appearance before the town.

(f) In any formal or informal appearance before the town, a person representing a person or entity which employs a former officer or employee who had discretionary authority over the project or matter for which the person or entity is appearing before the town shall disclose any former involvement of such former officer or employee in the project or matter. This disclosure requirement shall be in effect for 24 months after the former officer or employee leaves town service or employment.

(g) No employee or officer shall approve or vote to approve any oral or written contract for land services, supplies or materials between the town and either a former employee or officer or an entity which employs such former employee or officer during the 12-month period following such former employee's or officer's departure from the town's employment or service. Notwithstanding the foregoing, upon a finding by the city council that the economic or other benefit to the former employee or officer is minimal or insignificant, the city council may vote to waive the prohibition contained in this subsection.

(Code 1982, § 2-6)

Sec. 2-96. - Accepting employment from an entity regulated by town prohibited.

An employee in a position which involves significant reporting, decision-making, advisory, regulatory or supervisory responsibility who leaves the service or employment of the town shall not, within six months after leaving that service or employment, seek or accept employment from an entity which had appeared for formal action or decision before the body of which such employee was a member or which had been subject to the employee's regulation or inspection during such employee's employment with the town.

(Code 1982, § 2-7)

Secs. 2-97—2-115. - Reserved.

Combined Meeting

R14

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding the application of Section 2-93(11) of the Code of Ordinances, which prohibits the use of official position and Town resources for private purposes, personal advantage, pecuniary gain, or a political campaign, to certain activities of the Mayor that occurred during the 2014 political campaign leading up to the Town's 2014 general election held on May 10, 2014.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Attachments

Memo

COWLES & THOMPSON

MEMORANDUM

TO: Mayor Todd Meier, City Council Members, City Manager Lea Dunn

FROM: John Hill

RE: Application of Section 2-93(11), Code of Ordinances, to Campaign

DATE: July 2, 2014

Mayor, Council members, and Ms. Dunn, as requested by the Council at its June 16, 2014 meeting, an item is on the Council's July 8 agenda regarding the application of Section 2-93(11) of the Code of Ordinances to activities of the Mayor during the 2014 campaign for Council. That subsection states that no official shall:

Use his official position or town-owned facilities, personnel, equipment, supplies, vehicles, printing facilities, postage facilities, long-distance telephone services or any other resources for private purposes, personal advantage, pecuniary gain for such official or for others or for any political campaign for himself or others. However, this shall not prohibit an official from using his official position to promote or encourage economic development and businesses within the town, provided (a) the official, and any person related to the official within the second degree by consanguinity or affinity, does not receive a benefit from such promotion or encouragement, and (b) the promotion or encouragement of economic development and businesses is not for the purpose of promoting, and does not promote, other than incidentally, the official or any person related to the official within the second degree by consanguinity or affinity.

This subsection is a part of the Town's Code of Ethics. In connection with this item and as has been discussed, the Code doesn't include a process for adjudicating alleged violations. Accordingly, it doesn't provide for the Council to render a determination as to whether or not a violation occurred. Therefore, any action by the Council regarding an alleged violation would not be binding. Additionally, the Council can change or modify the language of an ordinance, but only through an amendment to the ordinance.

If you have any questions or comments or would like to discuss, please let me know.

Combined Meeting

R15

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding establishing a process for making appointments to the Town's Planning and Zoning Commission and the Board of Zoning Adjustments.

FINANCIAL IMPACT:

N/A

BACKGROUND:

During the City Council Regular Meeting on June 24, 2014, Council proposed establishing a process for the appointment of the Planning and Zoning Commission and the Board of Zoning Adjustments. The process will consist of a nomination meeting and a separate appointment meeting.

RECOMMENDATION:

Combined Meeting

R16

Meeting Date: 07/08/2014

Council Goals: Create raving fans of the Addison Experience.

AGENDA CAPTION:

Discussion, consider and take action regarding Addison's recognition and naming policy for town parks, trails, or facilities.

FINANCIAL IMPACT:

N/A

BACKGROUND:

The current naming policy, established via Resolution R07-019 on September 25, 2007, is attached to this document for discussion purposes. Also included is the preliminary report and final presentation by the Addison Cares Committee.

RECOMMENDATION:

Attachments

Addison Naming Policy

Addison CARES Presentation

Addison CARES Draft Policy

**TOWN OF ADDISON, TEXAS
RESOLUTION NO. R07-019**

**A RESOLUTION BY THE CITY COUNCIL OF THE TOWN OF
ADDISON, TEXAS, PROPOSING GUIDELINES AND POLICIES
FOR THE NAMING OF PARKS, TRAILS AND FACILITIES.**

WHEREAS, when naming a park, trail, or facility after a person, at least one of the following stipulations should be met:

- a) The person has donated the land to be used, has provided significant contributions to acquire the land, or has sold the land to the Town at a price significantly below market value.
- b) The person has provided significant contributions to the cost of construction of the park, trail or facility, or has provided construction services at a price significantly below market value.
- c) The person has made significant and consistent long-term contributions to the Town of Addison.
- d) The person shall not have been an employee or councilmember/Mayor of the Town of Addison for at least five years.

WHEREAS, when appropriate, parks, trails, and facilities can be named after predominant geographical or physical features of the land. These may include natural features (rivers, trees, etc.) or man-made features (subdivisions, buildings, etc).

WHEREAS, parks and trails may be named after historical events that are specific to the Town of Addison.

WHEREAS, the Council will consider re-naming existing facilities. However, the motion to rename an existing park, trail, or facility must be approved by a 3/4th vote of the entire Council (e.g., if all members of the Council are eligible to vote, approval would require 6 out of 7 votes).

WHEREAS, different sections of parks and facilities may carry names that differ from that of the overall park or facility. This may include the naming of individual items in a park or facility (such as a meeting room). However, the above guidelines shall still apply in choosing a name.

WHEREAS, any citizen, group of citizens, entity or organization may submit a proposal to name a facility after an individual, group of individuals, or community organization to honor and recognize significant contributions to the community through public service, community volunteerism or outstanding achievement. The contributions of the individuals or group must be well-documented and broadly acknowledged within the community. If possible, written permission and agreement must be obtained from the individual, group or organization who or which is being commemorated.

WHEREAS, the guidelines listed above are guidelines only. Meeting any or all of the above guidelines does not guarantee that a park or facility will carry any certain name. Ultimately, all naming decisions are to be made by the Addison City Council, which may make exceptions to these guidelines when it deems appropriate.

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

THAT, the City Council does hereby authorize the Proposed Guidelines and Policies for the naming of Parks, Trails and Facilities.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS this the 25th day of September, 2007.



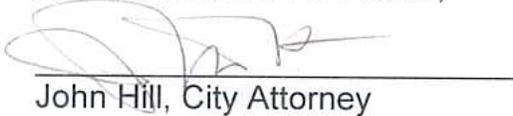
Joe Chow, Mayor

ATTEST:



Mario Canizares, City Secretary

APPROVED AS TO FORM;



John Hill, City Attorney

Addison CARES

Commemorative Recommendations

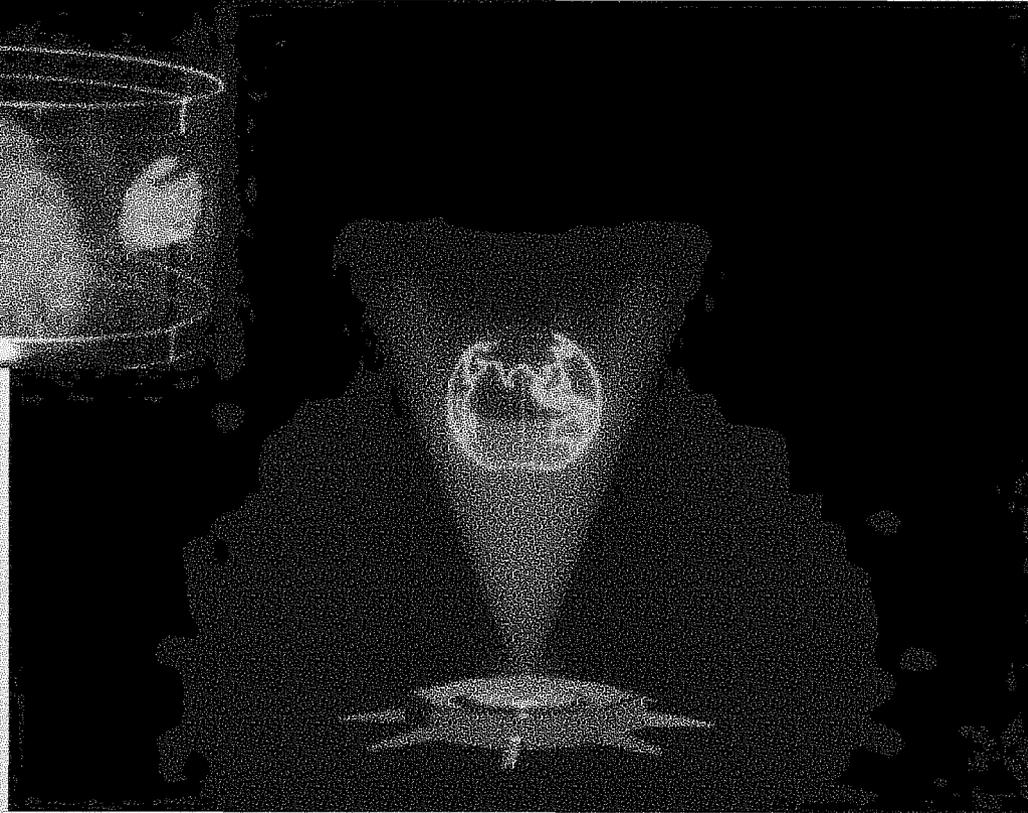
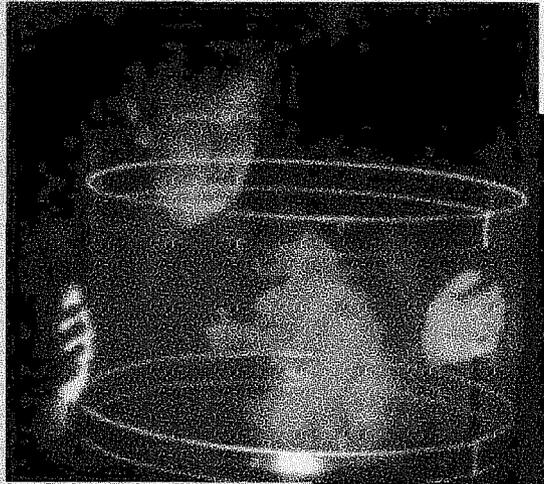
Summary

- ▶ The Addison CARES committee has prepared a Municipal Naming Policy (“MNP”) for consideration by the City Council.
- ▶ In addition to the MNP, the committee has reviewed, inspected and photographed a number of local and national commemorative opportunities.
- ▶ The committee makes the following visual recommendations for recognizing individual accomplishments and contributions.
- ▶ The committee further recommends implementation at one or more of the Town’s existing public parks, where people congregate and there are multiple venue hosting opportunities to enhance visibility and appreciation, such as Visit Addison, Addison Circle Park and Vitruvian Park.

Hologram

- ▶ The Addison Hologram Table is a proposal for an interactive opportunity to showcase the Town and its recognized citizens.
 - Table would list recognized citizens and the Town's features and events.
 - Hologram of citizen would appear, along with a brief verbal introduction of the citizen's service and what the person meant to Addison (voice of Mayor, Family Member, etc.)
 - Hologram would further showcase the physical recognition point within the Town (look for Mrs. Canterbury's name on the Memorial Wall in Vitruvian Park) and project an image of the Town, highlight the location of Vitruvian Park and the Memorial Wall within Vitruvian Park, for example.
 - Possible location for the Hologram Table is Visit Addison, as well as providing a link on the Town's website (of the image/video).

Hologram

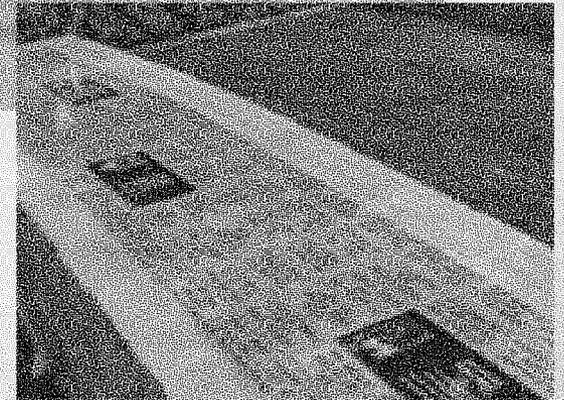
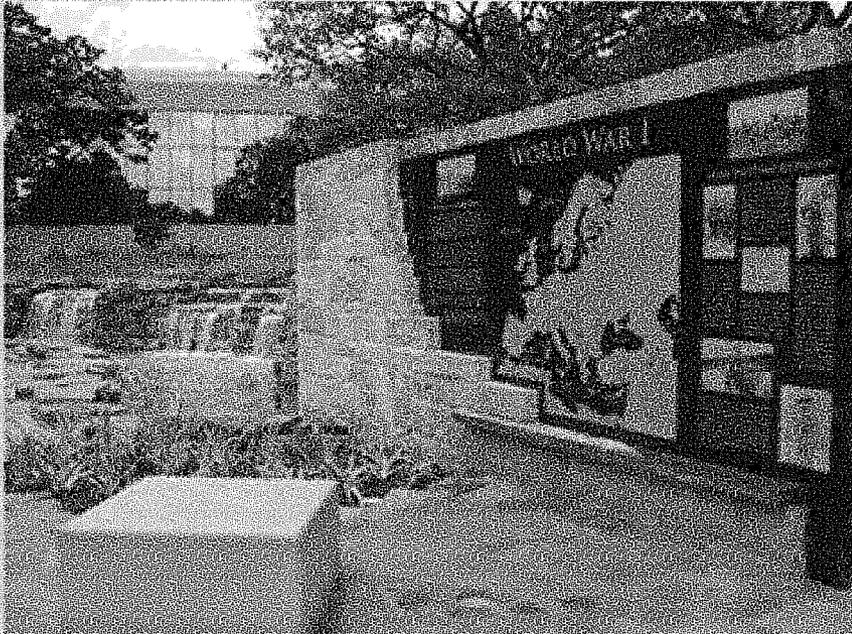


Physical Recognition Opportunities

- ▶ **Memorial Park**
 - Enhance existing parks such as Vitruvian or Addison Circle to provide recognition opportunities.
- ▶ **Statue/Bench**
 - Add Memorable Statues or Benches
- ▶ **Garden Path**
 - Naming Garden or Path and creating named stoned walking areas within the Garden or Path
- ▶ **Signage**
 - Naming (or Renaming) a Town Facility

Memorial Park

Enhance existing parks (Vitruvian, Addison Circle)



Memorial Park



Wide shot of the entire Carl B. Anderson All-American Plaza.
Photo by Garrett Duty

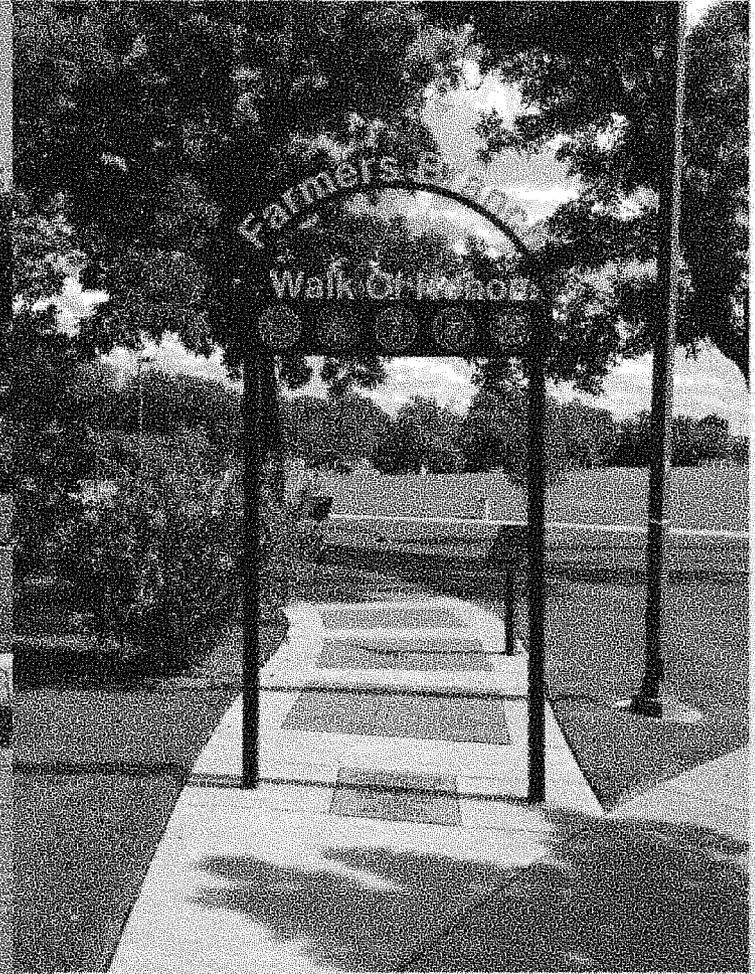


Medium shot of the lighted display of the wall of All-Americans.
Photo by Garrett Duty

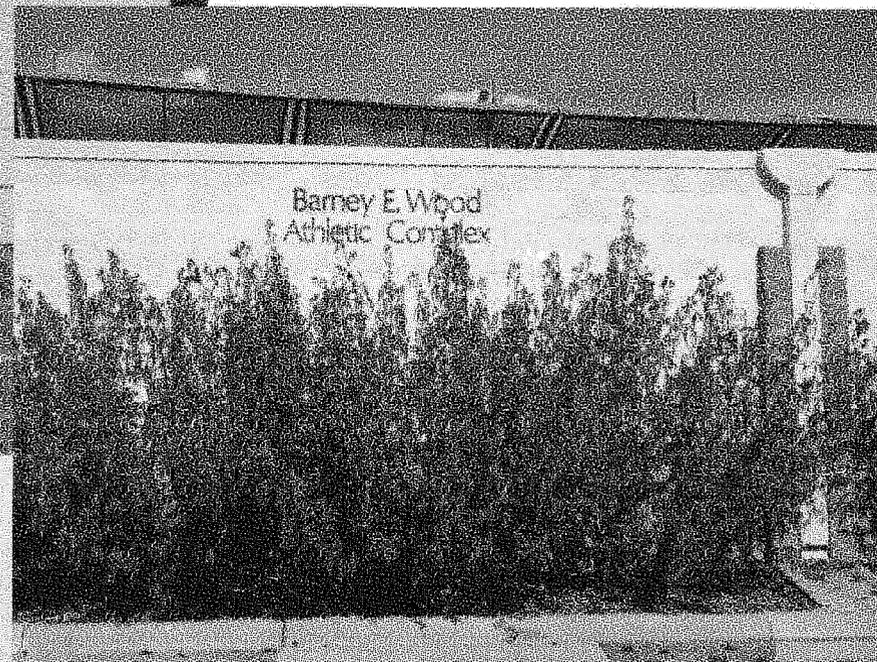
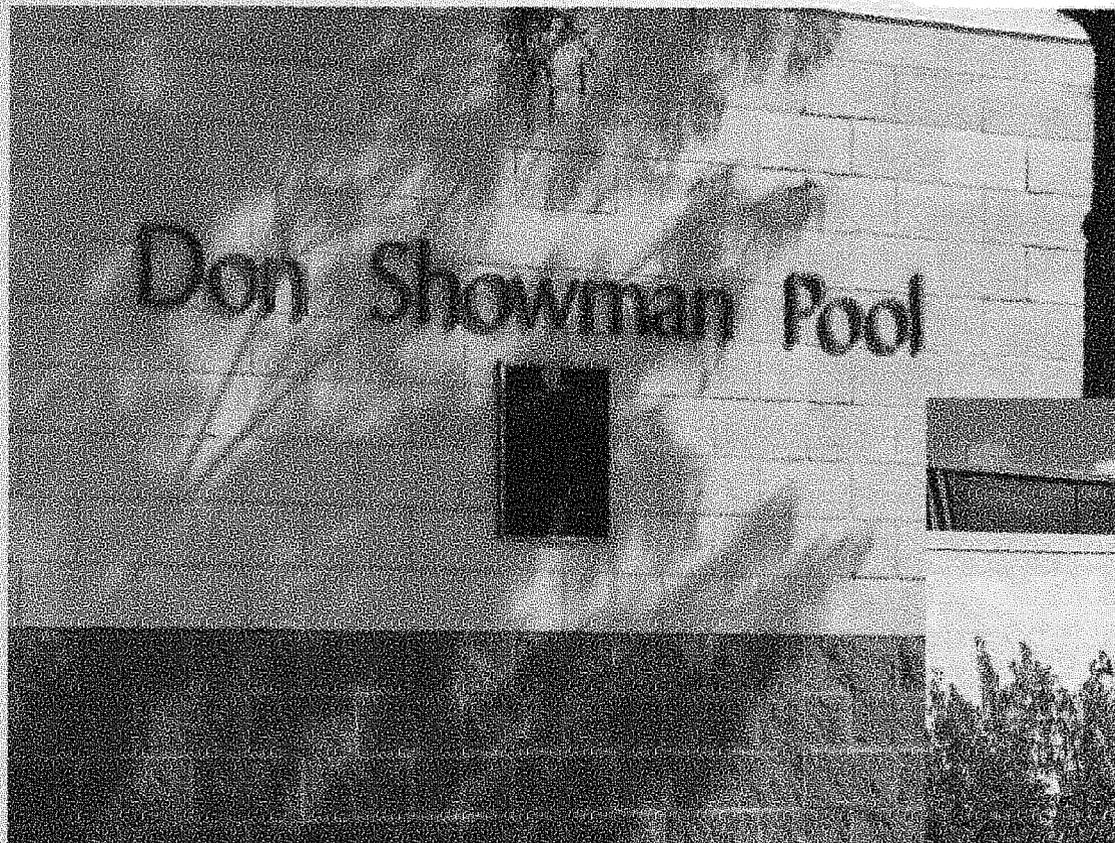
Statue/Bench



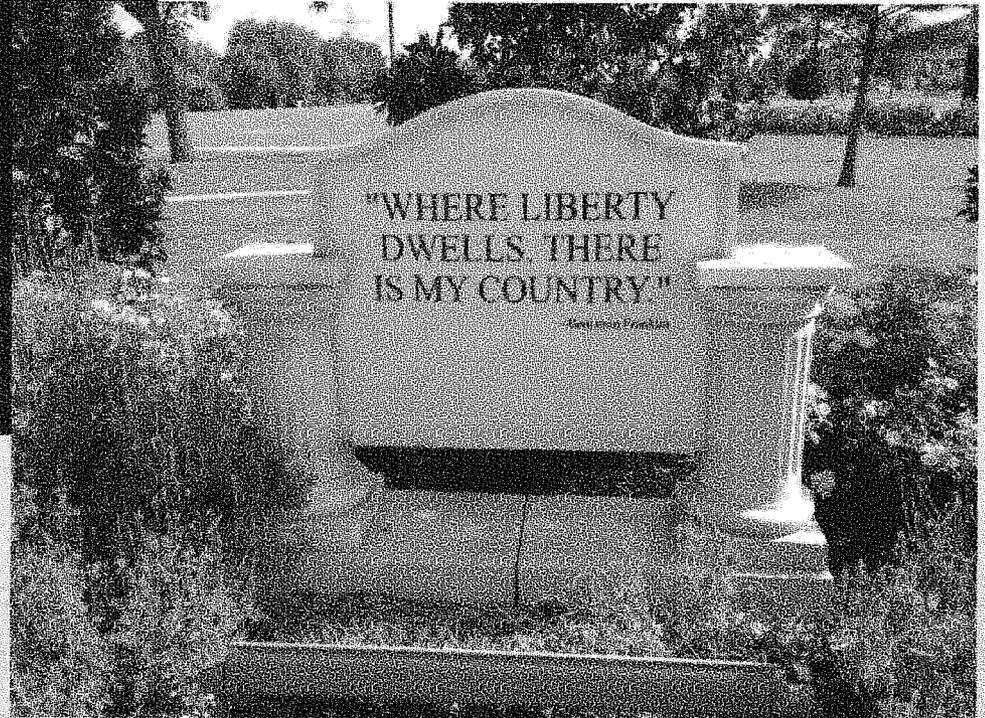
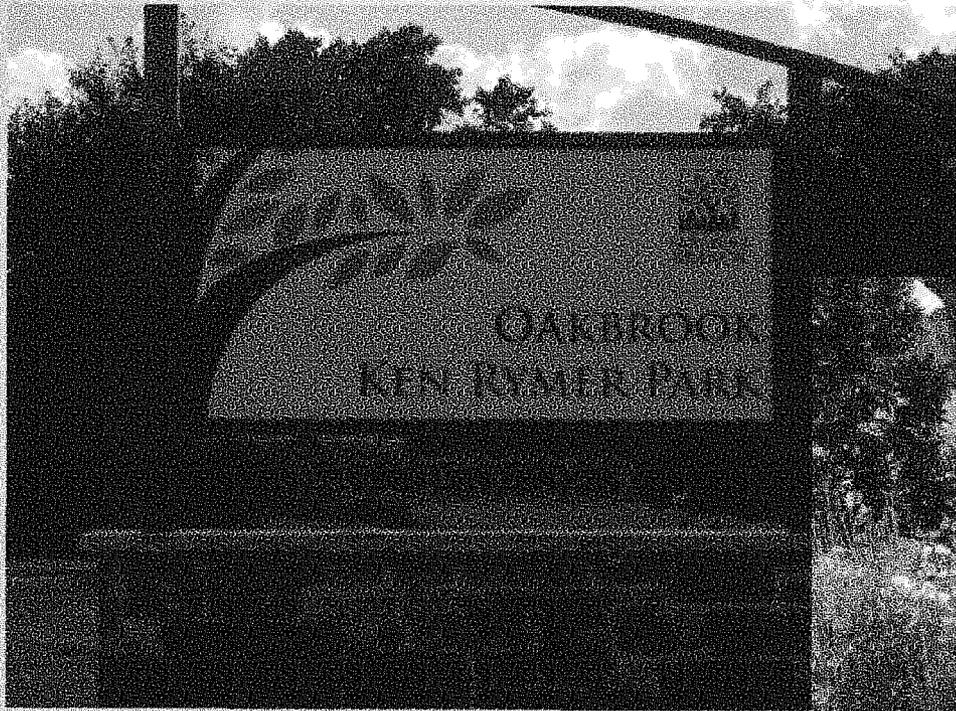
Garden/Path



Facility Naming



Signage



Municipal Naming Policy

Town of Addison

DRAFT 3/6/2013

I. PURPOSE:

To establish a uniform policy regarding requests for the naming or renaming of Town-owned land and facilities including parks, airport facilities, recreation facilities, buildings, streets, and the designation of commemorative street names and plaques, that are compatible with community interest and will enhance the values and heritage of the Town of Addison.

II. GENERAL :

- A. This policy shall establish the guidelines, criteria and process for naming or renaming of Town-owned facilities.
- B. The City Council shall have the final authority to name and rename Airport, parks, recreational facilities, Town-owned buildings, streets and to designate commemorative street names and plaques.
- C. Under extraordinary circumstances that would cast a negative image upon the Town, any naming of Town-owned facilities in honor of an individual, family or group may be revoked at the discretion of the City Council.
- D. The names of individuals or corporations or groups involved in controversial enterprises or activities, such as those that would be detrimental to the mission or image of the Town of Addison should be avoided.
- E. The donation of land, facilities, or funds for the acquisition, renovation or maintenance of land or facilities, shall not constitute an obligation by the Town to name the land and/or facility or any portion thereof after an individual, family or organization.
- F. Existing names are deemed to have historic recognition. It is the Town of Addison's policy to keep the name of any existing park, Town-owned buildings, or recreational facility, particularly one whose name has Town or regional significance, unless there are compelling reasons to consider such a change; after a thorough study and a unanimous vote of the City Council. Furthermore, the Town will consider renaming to commemorate a person or persons, posthumously, only when the person or persons have made a major, overriding contribution to the Town and whose distinctions are as yet unrecognized.
- G. It is the intent of this policy to prohibit, except under extraordinary circumstance with a super majority vote (6 to 1) of the City Council and a required minimum of 2/3 of the affected property owners' written approval, the changing of street names that have existing homes or businesses using the street name in their address, or streets which connect with adjacent jurisdictions.

- H. Street naming and renaming shall be made by City Council resolution or as a result of an approval and recordation of a subdivision map.
- I. All costs including staff time, labor and materials associated with the installation of plaques, monuments and/or replacement of signs resulting from this policy will be borne by the individual, group or organization sponsoring the request.

III. NAMING CRITERIA

A. PARKS, TOWN-OWNED BUILDINGS AND RECREATIONAL FACILITIES:

1. Naming shall begin early in the development and/or acquisition as possible.
2. Names should be appropriate to the park, Town-owned building, or recreational facility by reflecting the native wildlife, history, flora, fauna, geographic area, or natural geologic features related to the Community of Addison.
3. Names can be from significant historical events, cultural attributes, a local landmark or for a historical figure.
4. Areas that can be recognized include: Points of entry, walkways, trails, room or patio within a Town-owned building, recreational facilities such as group picnic areas, and physical features.
5. Names which reflect the Town's ethnic and cultural diversity are encouraged. Signage shall be in English.
6. Commemorative names honoring individuals or families should be based on the following criteria:
 - made lasting and significant contributions to the protection of natural or cultural resources of the Town of Addison;
 - made substantial contributions to the betterment of a specific facility or park consistent with the established standards for the facility;
 - made substantial contributions to the advancement of commensurate types of recreational opportunities with the Town of Addison;
 - be associated to an economic development or redevelopment activity;
 - had a positive impact on the lives of Addison's residents;
 - has volunteered for ten (10) or more years of service to the community;

B. STREETS:

1. Names shall be unique, easily discernible, and simple to pronounce for public safety consideration. Similar sounding or duplicate street names shall not be considered.
2. Street names may recognize native wildlife, flora, fauna or natural geologic features related to the community and the Town of Addison.
3. Street names shall not contain more than 18-letter characters, including any combinations of spaces, or letters, designations in the base portion of the name.
4. Cumbersome, corrupted or modified names, discriminatory or derogatory names, from the point of view of race, sex, color, creed, ethnicity, religious affiliation, political affiliation or other social factors are not acceptable.
5. Names for public and private streets in a new subdivision shall be proposed by the developer, reviewed by the Planning Commission, approved by the City Council. The street names are adopted by the Town when the final subdivision map for the development is recorded.

C. COMMEMORATIVE STREETS NAMES AND PLAQUES:

1. Commemorative street name signs are additions to the street name and will not change the street address. Existing street name shall be retained and a supplemental sign or plaques shall be installed. Commemorative street name signs shall consider the same criteria for naming of streets.
2. Commemorative plaques shall be placed in common areas within the Town of Addison. In recognition of individuals that should be honored for their accomplishments and contribution to the Town, a community COLUMN OF HONOR, COLUMN OF HONOR, OR WALK OF HONOR (placeholder names) is to be established at (locations to be determined at Town Hall or existing Park such as Addison Circle). The COLUMN/WALL/WALK OF HONOR will be a permanent honor, consisting of a marker describing the honorees accomplishments, placed on a bronze plaque. Recognition will be made either at a City Council Meeting or at a special ceremony at the COLUMN/WALL/WALK OF HONOR. The applicant or sponsoring group/organization will be responsible for the cost of the plaque. If a special recognition ceremony is requested, the applicant may be charged for the cost.
3. Criteria for commemorative street names and plaques are as follows:

- a. Names honoring deceased individuals, groups, or families should be based on one or more of the following criteria:
 - i. made lasting and significant contributions to the protection of natural or cultural resources of the Town of Addison;
 - ii. made substantial contributions to the betterment of the Town of Addison which has positively impacted the lives of citizens of the Town of Addison,
 - iii. be associated to an economic development or redevelopment activity in fulfillment of the Town's mission;
 - iv. commemorates a significant historical event;
 - v. contributed outstanding civic service to the Town for a minimum period of ten (10) years;

- b. Names of living persons shall be considered only under one or more of the following circumstances:
 - i. The honoree contributed 50% or more of the cost of a major facility;
 - 1. A contribution is not required to be monetary (example: land or building)
 - ii. The honoree initiated or contributed major time to the establishment of the Town project;
 - iii. The overwhelming belief (public opinion) that the honoree would be likely be honored for that facility posthumously;
 - iv. No other individual now living has, or is likely to have, greater public support for being honored;
 - v. The honoree has given extraordinary service to the Town and to the community;
 - vi. The honoree has attained national or international prominence and achievement.

- c. Naming after an individual who has served as a Town Official or as a Town employee shall occur after the person has separated from Town service and should be based on one or more of the following criteria:
 - i. Made contribution over and above the normal duties required by their positions.
 - ii. Had a positive impact on the past and future development of programs, projects, or facilities in the Town of Addison.
 - iii. Made significant volunteer contributions to the community outside the scope of their job.
 - iv. Had exceptionally long tenure with the Town of Addison; a minimum of ten (10) years.
 - v. Significant public support for a memorial to the Town official or Town employee on the occasion of their death or retirement.

IV. NAMING PROCEDURE

- A. A request shall be submitted in writing on the standard application form. Fees associated with administration (amounts to be determined by Town staff) and hard costs for the sign or plaque placement will be at the expense of the applicant, such as sign procurement and installation costs. An application fee has been established and will be based on the most current adopted Town's Fees & Charges Schedule. The payment of the application fee is required at time of application submission.
- B. The applicant shall be able to provide clear evidence that the individual to be honored has made a significant contribution to the economic vitality and/or quality of life in the Addison community.
- C. The application will be reviewed for completeness based upon the naming criteria by Town of Addison staff (City Manager's Designee). All recommendations or suggestions will be given the same consideration without regard to the nomination source.
- D. Completed applications will be forwarded concurrently for review to the City Council at a regularly scheduled meeting within a sixty (60) day period.
- E. Notice of intent to name a park, recreational facility, Town-owned building, or commemorative naming of a street shall be posted in public places and published in the Town's paper of record during the same 60-day review period of the Town's Commissions. (Assuming there is a legal requirement for public hearing... if not, then recommend deletion)
- F. After the 60-day review and public comments period, the request will be placed in the agenda for the next regularly scheduled City Council Meeting as a noticed public hearing for the City Council's consideration.

Combined Meeting

ES1

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to the ponds or lakes at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

ES2

Meeting Date: 07/08/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Create raving fans of the Addison Experience.
Mindful stewardship of Town Resources.
Maintain and enhance our unique culture of creativity and innovation.
Raise property values
Attract new businesses to Addison

AGENDA CAPTION:

Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R17

Meeting Date: 07/08/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding the ponds or lakes within the City at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R18

Meeting Date: 07/08/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Create raving fans of the Addison Experience.
Mindful stewardship of Town Resources.
Maintain and enhance our unique culture of creativity and innovation.
Raise property values
Attract new businesses to Addison

AGENDA CAPTION:

Discussion, consider and take action regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.
