



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
OCTOBER 10, 2006
7:30 P.M.
TOWN HALL
5300 BELT LINE ROAD

REGULAR SESSION

Item #R1 - Consideration of Old Business.

Item #R2 - Consent Agenda.

CONSENT AGENDA

#2a - Approval of the Minutes for the September 26, 2006, Council Meeting.

#2b - Consideration and approval of a resolution authorizing the city manager to enter into a memorandum of understanding (MOU) with the Dallas County Health Authority for assistance during health emergencies and acts of bioterrorism.

Item #R3 - Consideration and approval of an ordinance amending Ordinance No. 005-010 of the Town, being a franchise agreement with TXU Electric Delivery Company for the provision of electric service within the Town, by, among other things, amending the time of payment of the municipal franchise charge from annual to quarterly and by extending the term of the franchise agreement.

Attachments:

1. Council Agenda Item Overview
2. Ordinance

Administrative Recommendation:

Administration recommends approval.

Item #R4 - **PUBLIC HEARING**, regarding, and consideration of approval of, a change of zoning from C-2, (Commercial-2) to PD (Planned Development) in order to provide for residential and Local Retail uses, located on 7.37 acres at the southeast corner of Addison Road and Keller Spring Road, on application from Woodmont Development, represented by Mr. Paris Rutherford.

Attachments:

1. Docket Map
2. Staff Report
3. Plans

The Planning and Zoning Commission Findings:

The Addison Planning and Zoning, meeting in regular session on September 28, 2006, voted to recommend approval of the request on application from Woodmont Development, subject to the following conditions:

Landscaping:

Applicant shall submit a revised plan that provides calculations of the percentage of landscaped area versus the gross site (with and without the detention/Pocket Park area), a revised landscape buffer along the east, west, and south sides of the detention area, a sidewalk along the west side of the detention

area along Addison Road, and an alternative planting plan for the street trees shown along Addison Road and Keller Springs that will allow them more space to grow and mature.

In addition, the fire lane on the east side shall be moved to the east to be flush against the property line. The trees shall be shifted to the west side of the fire lane, in front of the units. The fire lane against the south property (on the east end) shall also be moved to be flush against the south property line, and trees added in front of the units on the south. The fire lanes shall be configured so that they can be converted to either R-streets, or Mews streets in the future

Fire:

The revised plan shows a continuous fire lane, which is adequate, but the Department needs to be sure that the dimensions are sufficient. In addition, fire hydrants shall be installed at 300-foot intervals along the fire lane.

Engineering:

The site must be platted, and complete engineering drawings, including all drainage calculations, must be submitted with the final plat.

Voting Aye: Bernstein, Chafin, Daseke, Gaines, Jandura,
Wood

Voting Nay: None

Absent: Meier

Administrative Recommendation:

Administration recommends approval.

Item #R5 - **PUBLIC HEARING**, requesting, consideration of approval of, a final development plan, with waivers, for approximately 414 multi-family units in an Urban Center – Residential district, located on 8.919 acres at the northwest corner of Goodman Avenue and Quorum Drive, on application from Fairfield Residential, represented by Mr. Larry Lee.

Attachments:

1. Docket
2. Staff Report
3. Plans

The Planning and Zoning Commission Findings:

The Addison Planning and Zoning Commission, meeting in regular session on September 28, 2006, voted to recommend approval of your request subject to the following waivers to design standards and conditions:

DESIGN WAIVER

Waiver 1 – Section 3. Dimensional and Design Standards
Subsection A, *Lot Dimensions*.

The minimum lot width dimension for a multi-family use is 200 feet. The minimum lot depth dimension for a multi-family use is 200 feet. Lot 1, Block 1 meets the requirements. However, Lot 1, Block 2 is only 170 feet deep. As this property is at the edge of the district, there is not any more land available to make the lot deeper.

CONDITIONS FOR APPROVAL

-The fire lane on the north and west sides of the development must be continuous from Quorum to Artist Way, and be constructed of an approved all-weather driving surface capable of supporting a 100,000 pound vehicle.

-In addition, the Fire Department is opposed to the gating or other obstruction of the fire lane as this drive will be our primary access to the sprinkler valves, alarm panels, and other fire service features of the buildings.

-All construction shall comply with the 2003 IBC, IPC, IMC, IECC, IFC. and 2002 NEC.

-The buildings shall be sprinklered, including all portions of the parking garage deemed necessary by the Fire Marshal.

Voting Aye: Bernstein, Chafin, Daseke, Gaines, Jandura, Wood
Voting Nay: None
Absent: Meier

Administrative Recommendation:

Administration recommends approval.

Item #R6 - Consideration and approval of a final plat for three lots on 8.919 acres in the UC – Urban Center District, Residential sub-district, located on 8.919 acres the northwest corner of Goodman Avenue and Quorum Drive, on application from Fairfield Residential, represented by Mr. David Meyers of Huitt-Zollars, Inc.

Attachments:

1. Docket Map
2. Staff Report
3. Plans

The Addison Planning and Zoning Commission, meeting in regular session on September 28, 2006, voted to recommend approval of the final plat, on application from Fairfield Residential, subject to the following conditions:

1. Plat needs to be revised to clearly reflect dedication of park and street rights-of-way to the Town.
2. Plat needs to be revised to provide a Certificate of Approval, with lines available for the date the plat was approved by the Town, a signature line for the Mayor, and a signature line for the City Secretary.
3. Applicant shall revise construction plans to address all comments made by the Public Works Department. All revisions shall be made to the construction documents before the final plat will be filed.

Voting Aye: Bernstein, Chafin, Daseke, Gaines, Jandura, Wood
Voting Nay: None
Absent: Meier

Administrative Recommendation:

Administration recommends approval.

Item #R7 – Presentation and discussion of the Belt Line Road Corridor Revitalization Strategy.

Attachments:

1. Council Agenda Item Overview
 2. Belt Line Road Corridor Revitalization Strategy
-

Item #R8 - Consideration and approval of a resolution approving the nomination to the NCTCOG's Regional Emergency Preparedness Planning Council.

Attachment:

1. Nomination Packet

Administrative Recommendation:

Administration recommends approval.

Item #R9 - Consideration and approval of a resolution approving the Town of Addison's membership to the Transportation Excellence for 21st Century (TEX-21).

Attachments:

1. Letter from 2006 TEX-21 Officers
2. Letter from John Carona

Administrative Recommendation:

Administration recommends approval.

Item #R10 - Discussion regarding the Town's participation in the River of Trade Corridor Coalition.

Item #R11 - Discussion of a feasibility study to expand the WaterTower Theatre.

Attachment:

1. Letter from Robert Long
-

Item #R12 - Presentation of plans for Addison Road project.

EXECUTIVE SESSION

Item #ES1 - Closed (executive) session of the 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 Town 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 relating to the Addison Airport fuel farm.

Adjourn Meeting

Posted 5:00 p.m.
October 5, 2006
Mario Canizares
City Secretary

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

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

September 26, 2006
6:30 p.m. – Town Hall
5300 Belt Line Road

Present: Councilmembers Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Absent: Mayor Chow

EXECUTIVE SESSION. At 6:30 p.m., Mayor Pro Tempore Hirsch announced that the Council would convene into Executive Session to discuss the following items:

Item #ES1 – Closed (executive) session of the City Council, pursuant to Section 551.071 of the Texas Government Code, to consult with its attorneys to seek the advice of its attorneys regarding certain pending litigation, to wit: *The City of Addison, Texas v. Transcontinental Realty Investors, Inc., et al.*, No. 05-05-01554-CV, Fifth District Court of Appeals, Dallas, Texas, and on a matter in which the duty of the attorneys to the Town Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code, regarding matters concerning access to Addison Airport.

The Council came out of Executive Session at 7:50 p.m.

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Deena Hermes (AAC), Jason Sutton (Public Works), John Lage (Fire) and Samuel Allen (Airport).

Item #R2 - Consent Agenda.

#2a – Approval of the Minutes for the September 12, 2006 and the September 19, 2006, Council Meetings. (Approved as written)

#2b – Consideration and approval of an ordinance amending the Code of Ordinances by amending Chapter 66 (Solid Waste) Article II (Collection and Disposal), Division 2 (Service Charge) by amending Section 66-52 increasing from \$9.89 to \$10.36 the monthly fee for single family residential garbage and recycling collection. This increase will take effect October 1, 2006 and be reflected on the November water bill. (Approved Ordinance No. 006-042)

#2c – Consideration and approval of a resolution approving a supplemental agreement to the Engineering Services Agreement with Birkhoff, Hendricks and Conway, Inc. in the amount not to exceed \$55,000.00, for additional professional design review services for ongoing projects. (Approved Resolution No. R06-079)

Councilmember Niemann moved to duly approve the above listed items.
Councilmember Kraft seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

Item #R3 - **PUBLIC HEARING** regarding the proposed Town of Addison's Annual Budget for the fiscal year beginning October 1, 2006 through September 30, 2007.

Mayor Pro Tempore Hirsch opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Hirsch closed the meeting as a public hearing.

No action taken.

Item #R4 - Consideration and approval of an Ordinance adopting the Town of Addison annual budget for the fiscal year beginning October 1, 2006, and ending September 30, 2007.

Councilmember Kraft moved to duly approve Ordinance No. 006-043 adopting the Town of Addison annual budget for the fiscal year beginning October 1, 2006, and ending September 30, 2007. Councilmember Mallory seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

Item #R5 - Consideration and approval of an Ordinance fixing and adopting the tax rate on all taxable property for the year 2006; and declaring an emergency.

Councilmember Niemann moved to duly approve Ordinance No. 006-044 fixing and adopting the tax rate of \$.4640 per \$100 of assessed valuation on all taxable property for the year 2006; and declaring an emergency. Councilmember Braun seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

Item #R6 - Consideration and approval of an Ordinance amending Chapter 67, Article II, Section 67.17 of the Code of Ordinances, regarding the Town of Addison Conference and Theatre Centre space rental fees.

Councilmember Mallory duly moved to approve Ordinance No. 006-045 amending Chapter 67, Article II, Section 67.17 of the Code of Ordinances, regarding the Town of Addison Conference and Theatre Centre space rental fees. Councilmember Niemann seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

Item #R7 - Consideration of an ordinance electing for the City to make current service and prior service contributions to the City's account in the Municipal Accumulation Fund of the Texas Municipal Retirement System at such rate within legal limits, as the actuary annually determines is required to fund within a period of twenty-five years from the most recent valuation date, the costs of employee benefits payable from, or chargeable to, the City's said account in said fund.

Councilmember Mellow duly moved to approve Ordinance No. 006-046 electing for the City to make current service and prior service contributions to the City's account in the Municipal Accumulation Fund of the Texas Municipal Retirement System at such rate within legal limits, as the actuary annually determines is required to fund within a period of twenty-five years from the most recent valuation date, the costs of employee benefits payable from, or chargeable to, the City's said account in said fund. Councilmember Mallory seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

Councilmember Niemann recused himself and left the Council Chambers.

Item #R8 - **PUBLIC HEARING** and second reading of an Ordinance amending Ordinance No. 005-010 of the Town, being a franchise agreement with TXU Electric Delivery Company for the provision of electric service within the Town, by, among other things, amending the time of payment of the municipal franchise charge from annual to quarterly and by extending the term of the franchise agreement.

Mayor Pro Tempore Hirsch opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Hirsch closed the meeting as a public hearing.

No action taken.

Councilmember Niemann returned to the Council Chambers.

Item #R9 - Consideration and approval to contract with Southwest General Services to perform Emergency Medical Billing and Collection Services.

Councilmember Braun moved to approve a contract with Southwest General Services to perform Emergency Medical Billing and Collection Services, subject to review by the city attorney. Councilmember Mellow seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

Item #R10 - Consideration and approval of an Assignment of Ground Lease between the Town of Addison as Landlord and 16445 LTD, to Scarborough I Airport, L. P.

Councilmember Niemann moved to approve an Assignment of Ground Lease between the Town of Addison as Landlord and 16445 LTD, to Scarborough I Airport, L. P. Councilmember Kraft seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

Item #R11 - Appointment of three members to the Addison Board of Zoning Adjustment (BZA).

Councilmember Niemann moved to reappoint alternates Virgil Burkhardt, 4007 Winter Park Lane, Joel Davis, 4067 Beltway Drive #148, and Williams Green, 3845 Canot Lane, to the Addison Board of Zoning Adjustment (BZA). Councilmember Mallory seconded. Motion carried.

Voting Aye: Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: Chow

EXECUTIVE SESSION. At 8:31 p.m., Mayor Pro Tempore Hirsch announced that the Council would convene into Executive Session to discuss the following items:

Item #ES2 - Closed (executive) session of the City Council, pursuant to Section 551.071 of the Texas Government Code, to consult with its attorney(s) on a matter in which the duty of the attorney(s) to the Town Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly

conflicts with Chapter 551 of the Texas Government Code, re Chapter 551, Tex. Gov. Code.

The Council came out of Executive Session at 9:25 p.m.

There being no further business before the Council, the meeting was adjourned.

Mayor

Attest:

City Secretary

Council Agenda Item: #2b

SUMMARY: The Town of Addison currently has a Memorandum Of Understanding (MOU) with Dallas County to serve as our Local Health Authority during a bioterrorism or health emergency. This MOU expires in October 2006 and the Town desires to renew this agreement.

FINANCIAL IMPACT:

Budgeted Amount: \$ 0.00

Cost: \$ 0.00

BACKGROUND: During a local health emergency, the Town of Addison maintains an existing MOU with Dallas County, Department of Health and Human Services to serve as the Town’s Local Health Authority. A local health emergency is defined as the outbreak of disease from natural or man-made sources or any circumstance in which an environmental or toxic agent is introduced into the environment including an act or terrorism that requires the application of control measures.

The Town of Addison does not maintain the resources to serve as a local health authority during a local health emergency. Twenty-five local governments (including Addison) maintain an agreement with Dallas County for this service.

The current MOU expires on October 12, 2006. The Town of Addison desires to extend this agreement.

RECOMMENDATION: The Addison Fire Department recommends the Memorandum of Understanding for bioterrorism or health emergency assistance between the Town of Addison and Dallas County be approved.



#2b-2

MEMORANDUM

TO: Mayor and City Council

FROM: Noel Padden
Fire Chief

DATE: September 27, 2006

SUBJECT: Memorandum of Understanding for Bioterrorism or Health
Emergency Assistance between the Town of Addison and Dallas
County

On October 12, 2004, the Town of Addison entered into a memorandum of understanding with Dallas County to serve as Addison's local health authority during bioterrorism and health emergencies. This MOU was for a two-year period. A total of 25 local governments entered into a similar MOU with Dallas County. All local governments that entered into this MOU are located within Dallas County. The Town desires for Dallas County to continue to serve as our local health authority during bioterrorism and health emergencies.

The proposed MOU is similar to the current agreement in place. The following changes are noted in the proposed MOU:

- **Section II: Definitions**
 - E: The definition of local health emergency contains updated language referencing Chapter 508 of the Texas Health & Safety Code;
 - F: Adds a definition of environmental or toxic agent;
 - G: Adds a definition for area quarantine;
- **Section IV: Duties**
 - B: This agreement is activated whenever the local health authority declares a local health emergency. Language that would have required the local health authority to consult with and obtain approval of the Texas Commissioner of Health and the governing

body of the County and each city prior to imposing a quarantine of an area has been removed;

- **Section XI: Criminal Penalty**
 - A new section entitled criminal penalty has been added to this agreement;
- **Section XIII: Statutory Authority**
 - This section has been expanded to include additional State Statutes; and
- **Section XVI: Term**
 - This MOU is for a two-year period and automatically renews for an additional two-year term unless a party to the agreement cancels with 60-day written notice to the other parties prior to the end of a current term.

The designation of a local health authority is part of the Town's overall emergency preparedness efforts. This is especially important in conjunction with preparedness efforts for weapons of mass destruction and bioterrorism events.

The Addison Fire Department recommends approval of the attached memorandum of understanding for bioterrorism or health emergency assistance with Dallas County.

Enclosures

RESOLUTION NO. R06-___**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE DALLAS COUNTY HEALTH AUTHORITY FOR ASSISTANCE DURING HEALTH EMERGENCIES AND ACTS OF BIOTERRORISM.**

WHEREAS, the Town of Addison does not operate a full service local health authority; and

WHEREAS, the Town does not have the facilities, equipment or staff to handle an emergency involving a health emergency or a bioterrorism incident; and,

WHEREAS, as a result there are many health services not provided by smaller municipalities; and,

WHEREAS, bioterrorism and health emergency responses has become a priority for local governments; and,

WHEREAS, a local health emergency is defined as the outbreak of disease from natural or man-made sources, or as the result of an act or acts of bioterrorism, requiring the application of control measures; and,

WHEREAS, control measures include immunization, detention, restriction, disinfection, decontamination, isolation, quarantine, disinfestations, chemoprophylaxis, preventative therapy, prevention and education; and,

WHEREAS, an outbreak of disease from natural or man-made sources, or as the result of an act of bioterrorism can pose both a facility and staffing problem beyond the capabilities of the Town of Addison; and,

WHEREAS, Addison and all municipalities have a duty to cooperate in such events in order to contain, isolate and treat citizens who are exposed or could be exposed to health emergencies and acts of bioterrorism; and,

WHEREAS, Dallas County Health and Human Services (Dallas County Health Authority) has offered to supply such services to municipalities within Dallas county that do not provide these services individually; and,

WHEREAS, during such health emergencies and acts of bioterrorism, the Town of Addison would furnish mutual aid to jurisdictions within Dallas County as well as unincorporated areas of Dallas County and receive mutual aid in return, and,

WHEREAS, the Town would also be committing to assist other Dallas County municipalities during an emergency in their cities; now, therefore,

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

THAT, the City Council of the Town of Addison does hereby authorize the City Manager to enter into a Memorandum of Understanding (MOU) with the Dallas County Health Authority for assistance during health emergencies and acts of bioterrorism.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 10th day of October, 2006.

Mayor

ATTEST:

City Secretary

MEMORANDUM OF UNDERSTANDING
FOR BIOTERRORISM OR HEALTH EMERGENCY ASSISTANCE
BETWEEN
DALLAS COUNTY, TEXAS
AND

THE CITIES (TOWNS) OF ADDISON, BALCH SPRINGS, CARROLLTON, CEDAR HILL, COCKRELL-HILL, COPPELL, DALLAS, DESOTO, DUNCANVILLE, FARMERS BRANCH, GARLAND, GLENN HEIGHTS, GRAND PRAIRIE, HIGHLAND PARK, HUTCHINS, IRVING, LANCASTER, MESQUITE, RICHARDSON, ROWLETT, SACHSE, SEAGOVILLE, SUNNYVALE, UNIVERSITY PARK, and WILMER

THIS AGREEMENT (the "Agreement"), is made and entered into by and between the following Parties:

County of Dallas, Texas (hereinafter referred to as "**COUNTY**"), located at the Administration Building – 2nd Floor, 411 Elm Street, Dallas, TX 75202, is a corporate and political body recognized as legal subdivision of the State of Texas pursuant to Article XI, Section 1 of the Texas Constitution; and

Town of Addison, Texas (hereinafter referred to individually as "**ADDISON**"), located at Town Hall, 5300 Beltline Rd., Dallas, TX 75254, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Balch Springs, Texas (hereinafter referred to individually as "**BALCH**"), located at City Hall, 3117 Hickory Tree Road, Balch Springs, TX 75180, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Carrollton, Texas (hereinafter referred to individually as "**CARROLLTON**"), located at City Hall, 1945 East Jackson Road, Carrollton, TX 75006, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Cedar Hill, Texas (hereinafter referred to individually as "**CEDAR HILL**"), located at City Hall, 502 Cedar Street, Cedar Hill, TX 75104, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Cockrell Hill, Texas (hereinafter referred to individually as "**COCKRELL HILL**"), located at City Hall, 4125 West Clarendon, Cockrell Hill, TX 75211, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Coppell, Texas (hereinafter referred to individually as “**COPPELL**”), located at 255 Parkway Blvd, Coppell, TX 75019, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Dallas, Texas (hereinafter referred to individually as “**DALLAS**”), located at City Hall, 1500 Marilla Street, Dallas, TX 75201, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of DeSoto, Texas (hereinafter referred to individually as “**DESOTO**”), located at City Hall, 211 East Pleasant Run Road, DeSoto, TX 75115, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Duncanville, Texas (hereinafter referred to individually as “**DUNCANVILLE**”), located at City Hall, 203 East Wheatland Road, Duncanville, TX 75138, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Farmers Branch, Texas (hereinafter referred to individually as “**FARMERS BRANCH**”), located at City Hall, 13000 William Dodson Parkway, Farmers Branch, TX 75234, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Garland, Texas (hereinafter referred to individually as “**GARLAND**”), located at City Hall, 200 North 5th Street, Garland, TX 75040, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Glenn Heights, Texas (hereinafter referred to individually as “**GLENN HEIGHTS**”), located at City Hall, 1938 South Hampton Road, Glenn Heights, TX 75154, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Grand Prairie, Texas (hereinafter referred to individually as “**GRAND PRAIRIE**”), located at City Hall, 317 College, Grand Prairie, TX 75050, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

Town of Highland Park, Texas (hereinafter referred to individually as “**HIGHLAND PARK**”), located at Town Hall, 4700 Drexel Drive, Highland Park, TX 75205, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Hutchins, Texas (hereinafter referred to individually as “**HUTCHINS**”), located at City Hall, 321 N. Main, Hutchins, TX 75141, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Irving, Texas (hereinafter referred to individually as “**IRVING**”), located at City Hall, 825 West Irving Boulevard, Irving, TX 75060, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Lancaster, Texas (hereinafter referred to individually as “LANCASTER”), located at City Hall, 211 N. Henry St., Lancaster, TX 75146, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Mesquite, Texas (hereinafter referred to individually as “MESQUITE”), located at City Hall, 1515 N. Galloway Avenue, Mesquite, TX 75149, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Richardson, Texas (hereinafter referred to individually as “RICHARDSON”), located at City Hall, 411 West Arapaho Road, Richardson, TX 75080, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Rowlett, Texas (hereinafter referred to individually as “ROWLETT”), located at City Hall, 4000 Main Street, Rowlett, TX 75088, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Sachse, Texas (hereinafter referred to individually as “SACHSE”), located at City Hall, 5109 Peach Tree, Sachse, TX 75048, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Seagoville, Texas (hereinafter referred to individually as “SEAGOVILLE”), located at City Hall, 702 N. Highway 175, Seagoville, TX 75159, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

Town of Sunnyvale, Texas (hereinafter referred to individually as “SUNNYVALE”), located at City Hall, 127 Collins Road, Sunnyvale, TX 75182, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of University Park, Texas (hereinafter referred to individually as “UNIVERSITY PARK”), located at City Hall, 3800 University Boulevard, University Park, TX 75205, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

City of Wilmer, Texas (hereinafter referred to individually as “WILMER”), located at City Hall, 128 North Dallas Avenue, Wilmer, TX 75172, is a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The aforementioned cities shall be referred to collectively in this Agreement as the **CITIES**.

I. PURPOSE

WHEREAS, the **COUNTY**, and the **CITIES** agree that the outbreak of disease from natural or man-made sources, or as the result of an act or acts of bioterrorism can pose facility and manpower problems beyond the capacity of most individual cities; and

WHEREAS, in order to protect the health and safety of the public throughout Dallas County, subject to the limitations of Article III of this Agreement, the CITIES desire to designate COUNTY's Health Authority as the Local Health Authority of each CITY in the event of a local health emergency or act of bioterrorism; and

WHEREAS, a formal agreement between local governmental entities would allow for better coordination of this effort, provide that adequate facility space and manpower is available, and help ensure that this effort is accomplished as quickly as possible if the need arises; and

WHEREAS, the governing officials of the entities who have executed this Agreement of identical counterparts, collectively desire to secure for each such entity the benefits of mutual aid and protection of life and health in the event of a such an outbreak of disease; it is agreed as follows:

II. DEFINITIONS

- A. Political Subdivision: Any corporate and political entity organized under state law, as defined in Chapter 791, Texas Government Code ("Chapter 791")
- B. Local Health Authority: ("LHA"), means the physician employed by the Dallas County Health and Human Services Department that has been appointed as Health Authority for Dallas County pursuant to Chapter 121 of the Texas Health & Safety Code ("Chapter 121").
- C. Local Health Authority's Jurisdiction: Includes the unincorporated area of Dallas County and the territory within the boundaries of each political subdivision within Dallas County that executes the Certificate of Appointment made part of this Agreement.
- D. Control Measures: Pursuant to Chapter 81 of the Texas Health & Safety Code, known as the Texas Communicable Disease Prevention and Control Act ("Chapter 81"), a communicable disease control measure may be imposed by the Local Health Authority in the Local Health Authority's jurisdiction.
 - 1. Pursuant to Chapter 81, control measures may be imposed on an individual, animal, place or object as appropriate.
 - 2. Pursuant to Chapter 81, control measures may include: immunization, detention, restriction, disinfection, decontamination, isolation, quarantine, disinfestation, chemoprophylaxis, preventive therapy, prevention and education.
- E. Local Health Emergency: the outbreak of disease from natural or man-made sources, and/or Pursuant to Chapter 508 of the Texas Health & Safety Code ("Chapter 508"), any circumstance in which an environmental or toxic agent is introduced into the environment, including an act of terrorism, requiring the application of control measures under the provisions of Chapter 81.

- F. Environmental or Toxic Agent: Pursuant to Chapter 508, any bacterium or other disease-producing organism, toxic substance, radioactive substance, or other hazardous substance capable of causing widespread human illness, death, or substantial negative economic impact.
- G. Area Quarantine: Pursuant to Chapter 508, an area quarantine imposed by the LHA in response to the introduction of an environmental or toxic agent, will expire the earlier of: i) the 24th hour after the time the area quarantine is imposed; or ii) the time that appropriate action to terminate the quarantine or impose superseding requirements is taken under Chapter 418 of the Texas Government Code, or is taken by the Texas Commissioner of Health.

III. DESIGNATION OF HEALTH AUTHORITY

- A. The CITIES agree to designate the COUNTY's Health Authority to serve as their Local Health Authority ("LHA") for purposes of a local health emergency or incident of bioterrorism pursuant to Section 121.028 of the Health & Safety Code and Chapter 791. The terms and conditions under which the LHA's powers are invoked are more fully described in Section IV herein. A copy of the Certificate of Appointment for each CITY is attached hereto as Exhibit "A".
- B. The City of Garland will not designate the COUNTY's Health Authority to serve as their Local Health Authority under Section III (A). However, in all other respects, the City of Garland agrees to and will act in accordance with this Agreement during conditions under which the powers of the LHA that has been designated by this Agreement are invoked. Further, the City of Garland agrees that its Health Authority will cooperate with and maintain communication with the LHA designated by this Agreement during conditions under which the powers of the LHA are invoked. A copy of the signature page for the City of Garland is attached hereto as Exhibit "B".
- C. The City of Irving will not designate the COUNTY's Health Authority to serve as their Local Health Authority under Section III (A). However, in all other respects, the City of Irving agrees to and will act in accordance with this Agreement during conditions under which the powers of the LHA that has been designated by this Agreement are invoked. Further, the City of Irving agrees that its Health Authority will cooperate with and maintain Communication with the LHA designated by this Agreement during conditions under which the powers of the LHA are invoked. A copy of the signature page for the City of Irving is attached hereto as Exhibit "C".
- D. The City of Richardson will not designate the COUNTY's Health Authority to serve as their Local Health Authority under Section III (A). However, in all other respects, the City of Richardson agrees to and will act in accordance with this Agreement during conditions under which the powers of the LHA that has been designated by this Agreement are invoked. Further, the City of Richardson agrees that its Health Authority will cooperate with and maintain Communication with the LHA designated by this Agreement during conditions

under which the powers of the LHA are invoked. A copy of the signature page for the City of Richardson is attached hereto as Exhibit "D".

IV. DUTIES

- A. Upon request of the LHA, each entity which is a party hereto shall furnish mutual aid in coping with a local health emergency, and the forces necessary to provide such mutual aid to requesting entity or entities, during a state of local health emergency as declared by the LHA, subject to the conditions hereinafter stated.
- B. The provisions of this Agreement are activated whenever the LHA declares a local health emergency. The governing body of the COUNTY and each CITY, by signing this Agreement, authorizes the provision of assistance upon a declaration of a local health emergency.
- C. Any furnishing of facilities, and forces pursuant to this Agreement are subject to the following conditions:
1. Any request for aid hereunder shall specify the location(s) and include a stated number of personnel requested at said locations(s), and shall state the time period for which such facilities and personnel are requested. The CITY furnishing aid hereunder shall in its sole discretion, determine what equipment and personnel are available to furnish the requested aid.
 2. The responding CITY shall designate one individual at each facility to serve as a single point of contact to the LHA and/or the LHA's agent designated to operate that facility.
 3. A responding CITY shall be released by the LHA when the services of the responding CITY are no longer required or when the individual in charge of the responding CITY's forces determines, in his or her sole discretion, that further assistance should not be provided.
- D. Each entity which is a party hereto shall prepare and keep current an emergency management plan for its jurisdiction providing for disaster preparedness, response, recovery, and rehabilitation. The plan shall provide for curfews, blockades, and crowd control in an area affected by a "disaster" as defined by Chapter 418 of the Texas Government Code (the Texas Disaster Act). The plan shall provide rules governing entrance to and exit from the affected area, and other security measures deemed necessary.
- E. The LHA, will act as the coordinating agency for mutual aid responses under this Agreement. However, in the event of a wide spread local health emergency affecting more than one entity which is a party hereto, the City of Dallas has agreed to assist the LHA by allowing its Emergency Operations Center ("EOC") to be used as the central command and contact center. The EOC agrees to provide all necessary communications requested by the LHA. Such communications shall include the call-up and assignment of personnel and equipment to the

areas affected by the emergency. The EOC agrees that it shall maintain a current listing of all parties to this Agreement. Such listing shall include personnel to be contacted in each member CITY, appropriate telephone and facsimile numbers, and other information which would be needed in order to contact each member in the case of a response.

V. WAIVER

Each party to this Agreement waives all claims against the other entities which are parties hereto, and further waives compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement, except those caused in whole or in part by the negligence of an officer or employee of another entity. Provided, however, that this waiver shall not apply in those cases in which the claim is specifically covered by the civil liability provisions of Section 791.006 of the Texas Government Code and any subsequent amendments.

VI. REIMBURSEMENT OF EXPENSES

- A. Personnel who are assigned, designated or ordered by the governing body of a participating CITY or by the COUNTY to perform duties pursuant to this Agreement shall receive the same wages, salary, pension, and other compensation and rights for the performance of such duties, including injury or death benefits and workers' compensation benefits, as though the service had been rendered within the limits of the entity where he or she is regularly employed. All wage and disability payments (except for any payments arising from Section 791.006 of the Government Code), pension payments, damage to equipment and clothing, medical expenses, and expenses of travel, food and lodging shall be paid by the entity in which the employee in question is regularly employed.
- B. Federal funds awarded within Dallas County related to a health emergency covered by this Agreement will be distributed as directed and/or required by the Federal Emergency Management Agency or other appropriate Federal agency and/or the State of Texas.

VII. EQUIPMENT

All equipment used by a responding CITY in carrying out this Agreement will be, during the time response services are being performed, owned, leased, or rented by it; and all personnel acting for the responding CITY under this Agreement will, during the time response services are required, be paid by the responding CITY. At all times while equipment and personnel of any responding CITY are traveling to, from, or within the geographical limits of another member CITY or within the unincorporated area of Dallas County in accordance with the terms of this Agreement, such personnel and equipment shall be deemed to be employed or used, as the case may be, in the full line and cause of duty of the responding CITY. Further, such personnel shall be deemed to be engaged in a governmental function of their CITY.

VIII. SOVEREIGN IMMUNITY

The parties to this Agreement agree that each shall be responsible for their own negligent acts or omissions or other tortious conduct in the course of the performance of this Agreement, without waiving any sovereign or governmental immunity available to any party under Texas law and without waiving any available defenses under Texas law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.

IX. LIABILITY

In the event that an individual performing duties subject to this Agreement shall be cited as a defendant party to any state or federal civil lawsuits arising out of his or her official acts while performing duties pursuant to the terms of this Agreement, such individual shall be entitled to the same benefits that he or she would be entitled to receive had such civil action arisen out of an official act within the scope of his or her duties for the entity where regularly employed or volunteering and occurred within the jurisdiction of this entity where regularly employed or volunteering. The benefits described in this paragraph shall be supplied by the entity where the individual is regularly employed or volunteering. However, in situations where another political subdivision which is party to this Agreement may be liable, in whole or in part for the payment of damages, then that other political subdivision may intervene in such cause of action to protect its interests.

X. LIMITATION ON LIABILITY OF PRIVATE PERSONS

Pursuant to Section 81.007 of the Texas Health & Safety Code and any subsequent amendments, a private individual performing duties in compliance with orders or instructions of the LHA issued pursuant to a quarantine, is not liable for the death of or injury to a person or for damage to property except in a case of willful misconduct or gross negligence.

XI. CRIMINAL PENALTY

Pursuant to Chapter 81 and Chapter 508 of the Texas Health & Safety Code, a person commits an offense if the person knowingly fails or refuses to obey an order or instruction of the Texas Commissioner of Health or the LHA issued and published during an area quarantine. Such offense is a felony of the third degree.

XII. ENTIRE AGREEMENT

This Agreement contains all commitments and agreements of the parties hereto as to mutual aid to be rendered during or in connection with the declaration of a local health emergency. No other oral or written commitments of the parties shall have any force or effect if not contained herein. Notwithstanding the preceding sentence, it is understood and agreed that certain signatory entities may have heretofore contracted or may hereafter contract with each other for mutual aid in disaster situations, and it is hereby agreed that this Agreement shall not invalidate any such individual contract.

XIII. STATUTORY AUTHORITY

The parties agree that this Agreement is entered into by and between the entities pursuant to the authority of Chapter 81, Chapter 121, and Chapter 508 of the Health & Safety Code, applicable provisions of Chapter 418 of the Government Code and Chapter 791 of the Government Code. The entities which are parties hereto agree that this Agreement is for the performance of governmental functions and services as described in Chapter 791.

XIV. SEVERABILITY

In case one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

XV. APPROVAL

This Agreement has been officially authorized by the governing body of each party hereto. Pursuant to Chapter 791 of the Government Code, each entity which performs services or furnishes equipment pursuant to the terms of this Agreement shall do so with funds available from current revenues of the entity.

XVI. TERM

The term of this Agreement shall commence on the date of the last signature approving this Agreement and shall remain in full force and effect for a 2 year term, pursuant to Section 121.023 of the Health & Safety Code, and will automatically renew for successive 2 year terms, unless a party cancels its participation in the Agreement by giving 60 days written notice to the other parties prior to the end of a current term. Notwithstanding the provisions hereof, any local government which is a party hereto may provide emergency assistance to another local government as provided in Section 791.027 of the Government Code.

XVII. CANCELLATION NOTICE

It is agreed by and between the parties hereto that any party hereto shall have the right to terminate its participation in this Agreement upon ninety (90) days written notice to the other parties.

XVIII. NOTICE

Any notice or certification provided for in this Agreement to be given by either party to the other shall be required to be in writing and shall be deemed given when personally delivered or within three (3) business days after being deposited in the United States Mail, postage prepaid, certified, return receipt requested or registered addressed as follows:

To County: County Judge, Margaret Keliher
Administration Building – 2nd Floor
411 Elm Street
Dallas, TX 75202

To Cities: Town of Addison
Mayor Joe Chow
5300 Beltline Road
Dallas, TX 75254

City of Balch Springs
Mayor Wayne Middleton
3117 Hickory Tree Road
Balch Springs, TX 75180

City of Carrollton, Texas
Mayor Becky Miller
1945 East Jackson Road
Carrollton, TX 75006

City of Cedar Hill
Mayor Robert Franke
502 Cedar Street
Cedar Hill, TX 75104

City of Cockrell Hill
Mayor Luis D. Carrera
4125 West Clarendon
Cockrell Hill, TX 75211

City of Coppell
Mayor Doug Stover
255 Parkway Blvd.
Coppell, TX 75019

City of Dallas
Mayor Laura Miller
1500 Marilla Street
Dallas, TX 75201

City of DeSoto
Mayor Michael Hurtt
211 East Pleasant Run Road
DeSoto, TX 75115

City of Mesquite
Mayor Mike Anderson
1515 N. Galloway Avenue
Mesquite, TX 75149

City of Richardson
Mayor Gary Slagel
411 West Arapaho Road
Richardson, TX 75080

City of Rowlett
Mayor Shane Johnson
4000 Main Street
Rowlett, TX 75088

City of Sachse
Mayor Mike Felix
5109 Peach Tree
Sachse, TX 75048

City of Seagoville
Mayor George Williams
702 N. Highway 175
Seagoville, TX 75159

Town of Sunnyvale
Mayor Jim Phaup
127 Collins Road
Sunnyvale, TX 75182

City of University Park
Mayor James H. Holmes III
3800 University Boulevard
University Park, TX 75205

City of Wilmer
Mayor Don Hudson
128 N. Dallas Avenue
Wilmer, TX 75172

EXECUTED by the parties hereto, each respective entity acting by and through its duly authorized official as required by law, on the date specified on the multiple counterpart executed by such entity.

The County of Dallas, State of Texas, has executed this Agreement pursuant to Commissioners Court Order Number 2006 1410 and passed on the 15th day of August 20 06.

COUNTY OF DALLAS:

APPROVED AS TO FORM:

BY: Margaret Keliher
County Judge

BY: Bob Schell
Assistant District Attorney
Chief, Civil Section

RECOMMENDED:

BY: Zachary Thompson
Director
Health & Human Services Department
Dallas County

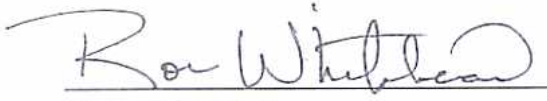
EXHIBIT "A"

CERTIFICATE OF APPOINTMENT

The Town of _____, State of Texas, has executed this Agreement pursuant to Town Council Order Number _____ and passed on the _____ day of _____ 20__.

TOWN OF ADDISON:

BY: Mayor Joe Chow



Town Manager

Council Agenda Item: #R3

SUMMARY:

Council's eventual approval is requested of an ordinance amending the franchise agreement the Town has with TXU Electric Delivery Company.

FINANCIAL IMPACT:

The Town received from TXU its annual franchise payment for this fiscal year in August and it totaled \$1,563,239.43 compared to budget of \$1,619,430. We have included in the 2007 budget \$1,668,010. In addition to this amount, the Town will benefit slightly from interest earnings derived from receiving its annual franchise payment in quarterly installments.

BACKGROUND:

The Town is a member of a city coalition known as the Steering Committee of Cities Served by TXU (SC). The Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when TXU Cities gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by per capita assessments, the SC has been for years the primary public interest advocate before the Public Utility Commission (PUC), the Courts, and the Legislature on electric utility regulation matters dealing with TXU.

This past February the Town was one of many cities served by TXU that passed a resolution approving terms of a settlement agreement between the SC and the company. Separate from the rate settlement, but linked in benefit under the Settlement Agreement, is the Company's commitment to increase franchise fee factors and permit all Cities who desire to receive quarterly franchise fee payments as opposed to annual payments to obtain that result.

In return for the quarterly payment of the franchise fee, TXU is requesting a five-year extension to its franchise agreement, extending it to July, 2019. For all intents and purposes the electric franchise is indefinite since TXU, or any other company that wishes to supply power to its customers must utilize the Town's right-of-way. There is no disadvantage to the Town in extending the franchise's term.

The Town's charter requires a fairly rigorous process for making changes to franchises. Below is a brief summary of the requirements:

- September 12 First Reading of and Public Hearing on Ordinance
- September 26 Second Reading of and Public Hearing on Ordinance
- October 24 Public Hearing on and Adoption of Ordinance
- Week of October 23 Publish full text of the Ordinance
- Week of October 30 Publish full text of the Ordinance
- Week of November 6 Publish full text of the Ordinance
- Week of November 13 Publish full text of the Ordinance
- November 24 Effective Date of Ordinance

RECOMMENDATION:

The quarterly payments will enhance the Town's cash flow and result in additional interest earnings. It is recommended Council approve the process as noted above culminating with the passage of the ordinance in November.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING ORDINANCE NO. 005-010 (THE SAME BEING CONTAINED IN APPENDIX C, ARTICLE II, DIVISION 4 OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON) BETWEEN THE TOWN OF ADDISON AND TXU ELECTRIC DELIVERY COMPANY, A TEXAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, BY (I) AMENDING THE PAYMENT SCHEDULE THEREIN TO PROVIDE FOR QUARTERLY FRANCHISE PAYMENTS, AND (II) EXTENDING THE TERM OF THE FRANCHISE FOR AN ADDITIONAL FIVE (5) YEARS; PROVIDING FOR TXU ELECTRIC DELIVERY ACCEPTANCE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the "City") previously granted to TXU Electric Delivery Company, ("Electric Delivery Utility"), by Ordinance No. 005-010 (the same being in Appendix C, Article II, Division 4 of the City's Code of Ordinances) (the "Franchise Ordinance"), the non-exclusive franchise to use the public rights-of-way of the City for the purpose, among other things, of operating facilities for the transmission and distribution of electric power within the City, the terms of which Franchise Ordinance were duly accepted by Electric Delivery Utility; and

WHEREAS, pursuant to that document entitled "Agreement to Resolve Outstanding Franchise Issues" dated January 27, 2006, the City has requested and Electric Delivery Utility has agreed that the terms of the Franchise Ordinance should be amended to provide for a different payment schedule and an extension of the term; and

WHEREAS, the City Council does hereby find that the adoption of this Ordinance is in accordance with applicable provisions of law and the City Charter, and is in the best interests of the citizens of the City.

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

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof.

Section 2. Ordinance No. 005-010 of the City, the same being the franchise agreement between the City and Electric Delivery Utility, is hereby amended as follows:

A. Electric Delivery Utility has made an annual payment of the Municipal Franchise Charge (as defined in Ordinance No. 005-010) to the City on or before August 1, 2006, based on each kilowatt hour of electricity delivered by Electric Delivery Utility during the twelve-month

period ending June 30, 2006, to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries. This payment is for the rights and privileges granted under the Franchise Ordinance for the twelve-month period August 1, 2006 – July 31, 2007. Such payment is the final annual payment of the Municipal Franchise Charge, and payment of the Municipal Franchise Charge (as described in Section 5.1(a) of Ordinance No. 005-010) shall hereafter be made in accordance with the following:.

Effective November 1, 2006 the annual prospective payment schedule of the Municipal Franchise Charge is hereby changed to a quarterly prospective schedule as follows:

<u>Payment Due Date</u>	<u>Basis Period</u> (period immediately prior to Payment Due Date)	<u>Privilege Period</u> (period immediately following Payment Due Date)
November 1	July 1 - September 30	August 1 - October 31
February 1	October 1 – December 31	November 1 – January 31
May 1	January 1 – March 31	February 1 – April 30
August 1	April 1 – June 30	May 1 – July 31

Notwithstanding the foregoing schedule, the first quarterly payment shall be due and payable on or before December 1, 2006, based on each kilowatt hour of electricity delivered by Electric Delivery Utility during the period beginning July 1, 2006 and ending September 30, 2006 to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries; and such quarterly payment is for the rights and privileges granted under Ordinance No. 005-010 during the period beginning August 1, 2007 and ending October 31, 2007. Following the first quarterly payment, subsequent payments shall be made on a quarterly basis as provided in and in accordance with the above schedule, based on each kilowatt hour of electricity delivered by Electric Delivery Utility during the applicable Basis Period as set forth in the above schedule to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries; and such payments shall be for the rights and privileges granted under Ordinance No. 005-010 for the applicable Privilege Period as set forth in the said schedule. The final quarterly payment under this Franchise Ordinance will be made on or before August 1, 2018, based on the period beginning April 1, 2018 and ending June 30, 2018, for the rights and privileges beginning May 1, 2019 and ending July 31, 2019.

After the final payment date of August 1, 2018, Company may continue to make additional quarterly payments in accordance with the above schedule. City acknowledges that such continued payments will correspond to applicable privilege periods that extend beyond the term of this Franchise Ordinance and that

such continued payments will be recognized in any subsequent franchise agreement as full payment for the relevant quarterly periods; and

B. The term of the Franchise Ordinance shall be extended for an additional five years, to expire on July 31, 2019.

Section 2. In all respects, except as specifically and expressly amended by this Ordinance, all other terms, conditions, standards, and obligations of Ordinance No. 005-010 heretofore duly passed by the governing body of the City and duly accepted by Electric Delivery Utility shall remain unchanged and in full force and effect according to its terms until said Franchise Ordinance terminates as provided herein. Without limiting the generality of the foregoing, Section 5.1(b) of the Franchise Ordinance is not amended by this Ordinance.

Section 3. This Ordinance shall take effect thirty (30) days from and after the date of the final passage and approval of this Ordinance by the City Council in accordance with the City's Home Rule Charter. Electric Delivery Utility shall, within thirty (30) days from the date of passage of this Ordinance by the City Council, file its written acceptance of this Ordinance with the Office of the City Secretary; this Ordinance shall be rendered null and void and of no force or effect whatsoever if such written acceptance of this Ordinance is not filed by the Electric Delivery Utility within such thirty (30) day period.

Section 4. It is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

First reading of this Ordinance by the City Council of the Town of Addison, Texas occurred on the ____ day of _____, 2006.

Second reading of this Ordinance by the City Council of the Town of Addison, Texas occurred on the ____ day of _____ 2006.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the ____ day of _____, 2006.

Joe Chow, Mayor

ATTEST:

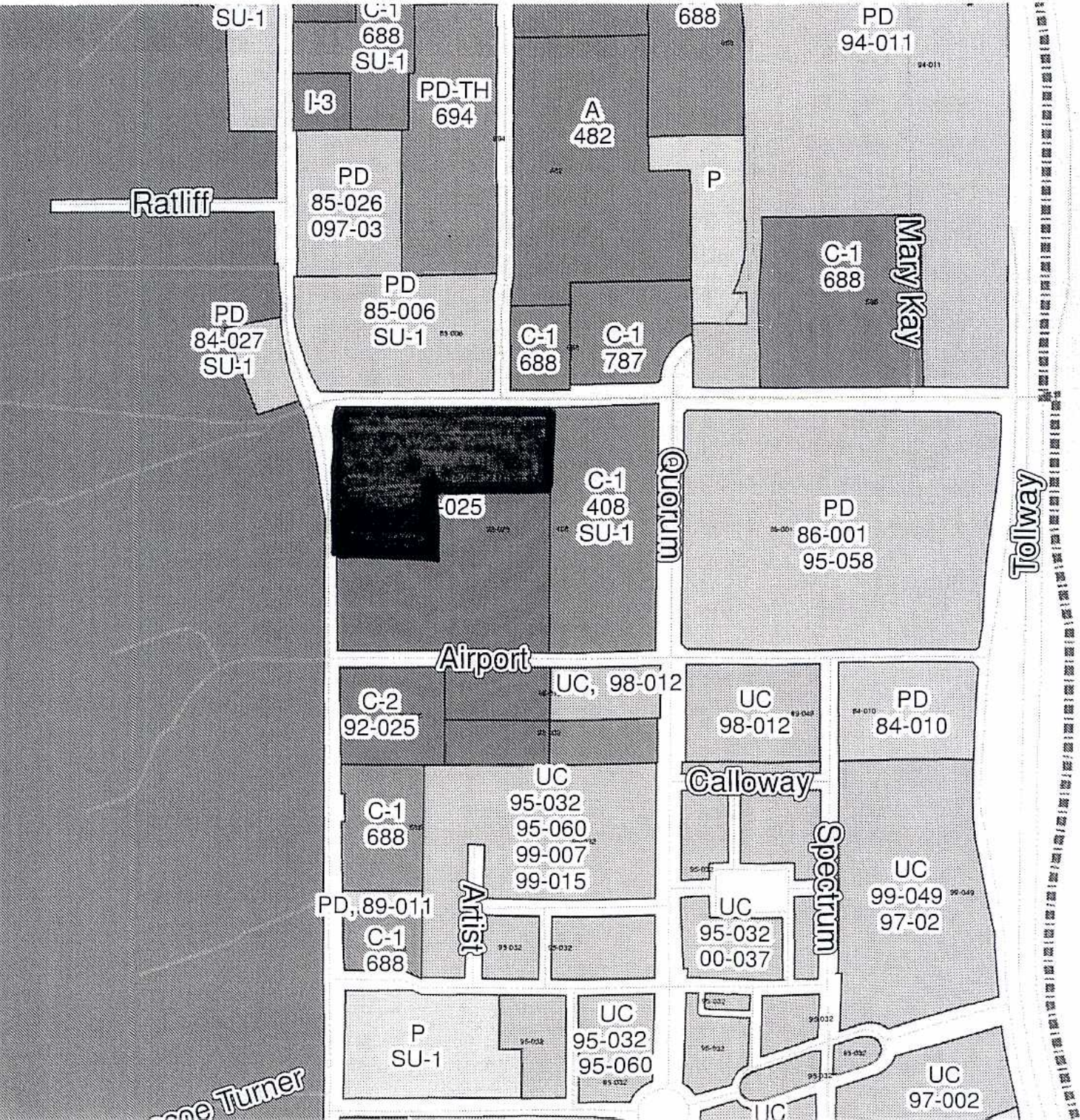
By: _____
Mario Canizares, City Secretary

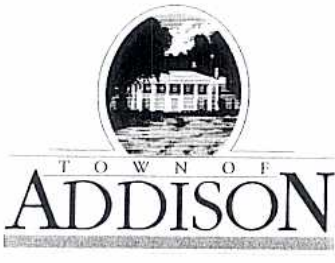
APPROVED AS TO FORM:

By: _____
Ken Dippel, City Attorney

1524-Z

PUBLIC HEARING Case 1524-Z/Woodmont Development. Requesting approval of a change of zoning from C-2, (Commercial-2) to PD (Planned Development) in order to provide for residential and Local Retail uses, located on 7.37 acres at the southeast corner of Addison Road and Keller Springs Road, on application from Woodmont Development, represented by Mr. Paris Rutherford.





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

September 22, 2006

FAX (972) 450-7043

STAFF REPORT

RE: Case 1524-Z/Woodmont Development

LOCATION: 7.37 acres at the southeast corner of Addison Road and Keller Springs Road

REQUEST: Approval of a change of zoning from C-2 (Commercial-2) to PD (Planned Development) in order to provide for a multi-family development of approximately 300 units, and local retail uses, and approval of development plans

APPLICANT: Woodmont Development, Represented by Mr. Paris Rutherford IV

DISCUSSION:

Background. This site is currently zoned Commercial-2, which allows for a variety of retail, retail/service/showroom, and light assembly uses. However, it does not allow residential use. At the June P&Z hearing, the applicant presented a plan to rezone the property for 312 multi-family units and 10,500 square feet of retail. The plan was approved by the Commission, and the case was scheduled for Council action. However, between the P&Z hearing and the Council meeting, the applicant determined that the drainage detention that would be required was cost-prohibitive for the project as it had been presented to P&Z. The applicant withdrew the case before it went to Council and is now coming back to P&Z with a revised plan.

COMPREHENSIVE PLAN

(This discussion was presented in June, but is repeated). The Town is currently revising its Comprehensive Plan and has just finished a new zoning district for

the Belt Line Road corridor. The staff intends at some point to take up the Addison Road corridor in the Town's Comprehensive Plan efforts, and this request is ahead of that effort. However, Addison's general direction is to move toward more urban housing products and more mixed use projects in all areas of the City. The Belt Line plan anticipated a more urban direction with residential and retail mixed use projects. The staff anticipates that Addison Road will move in that same direction, and that the mixed use, urban neighborhood in Addison Circle will continue north up Quorum Drive, which is just east of this site. Therefore, the staff feels that this project, though ahead of the Comprehensive Plan effort, is consistent with the direction the Plan will recommend.

In addition, this applicant has worked closely with the staff on the Belt Line Road zoning district and is aware of the goals and requirements of that district. The project presented is in keeping with those goals in that it provides a high-density mixed use project with structured parking, which is oriented along walkable streets. The staff would note that this property is not within the noise contours for the airport.

Therefore, the staff feels that this plan represents a direction that the Town will pursue for the Addison Road corridor through its Comprehensive Plan efforts. In fact, the Belt Line Road zoning district is a template that the Town will most likely adopt for all future residential uses. Addison recognizes that it is an urban location, and the goal of building walkable neighborhoods is one that will most likely resonate throughout all areas of the Comprehensive Plan.

Proposed Plan. The applicant initially proposed a project of 312 multi-family units and 10,500 square feet of retail space. The revised plan provides 362 units and 10,500 square feet of retail space. In the initial plan, there were R-streets that went through the project and the applicant was planning to build underground detention vaults that would detain stormwater. Once the costs on the R-streets and the stormwater detention came back, the applicant decided to revise the plan to eliminate both the streets and underwater detention.

The applicant is now proposing to build a detention area to the south of the units, adjacent to Addison Road. The applicant initially proposed that the area be dedicated to the Town for a park, but the Town has declined. Therefore, the applicant will need to be aware that there will be some irrigation and maintenance required for the detention facility.

The applicant also removed the streets from the south side and center of the project. The applicant is still proposing the drive around the front of the project, but is now proposing that access to the south and east of the project be handled with a fire lane.

Parking. The plan provides 583 parking spaces, of which at least 52 must be allocated to the 10,500 square feet or retail use (more spaces if any restaurants locate in the retail). That leaves 531 spaces for the residential units. Based on a parking requirement of one space per bedroom, the project requires 498 spaces; therefore, the parking meets code for the project.

Landscaping. Slade Strickland has reviewed the plan and he does not recommend accepting dedication of the detention area on the southwest corner of the property. He also has the following recommendations:

1. Provide calculations of the percentage of landscaped area versus the gross site with and without the detention/Pocket Park area.
2. Provide a landscape buffer along the east, west and south sides of the detention area according to the requirements of Town's landscape regulations.
3. Grass and irrigate the detention area, and maintain on an ongoing basis.
4. Provide a sidewalk along the west side of the detention area along Addison Road.
5. Provide a landscape buffer along the east side of the property east of the fire lane according to the Town's landscape regulations.
6. Staff recommends that the applicant submit an alternative planting plan for the street trees shown along Addison Road and Keller Springs that will allow them more space to grow and mature. Based on the future curb line on Addison Road and Keller Springs, there will only be about three feet remaining between the back of the new curb and the tree trunks, leaving little room for the trees to grow to maturity. The close proximity to the new curb will also cause the tree canopies to be sheered by trucks when they mature. Even if they were planted as shown, they cannot be planted until the new curb lines are constructed. Planting the trees now would put the established tree root systems in harms way of future excavation and paving of the new curbs.

Fire Code. The applicant has worked diligently with the Fire Department to get the fire lanes in. The initial project did not have a fire lane along the south side of the western building, but the staff insisted it needed to go in. The revised plan shows a continuous fire lane, which is adequate, but the Department needs to be

sure that the dimensions are sufficient. In addition fire hydrants will be required at 300-foot intervals along the fire lane.

Engineering. The Public Works Department has reviewed the plan, and notes the following:

1. Complete engineered plans for the project need to be provided with the following information:
 - a. Plat with surveying data.
 - b. Site dimensioning plan
 - c. Paving plans for both on-site and off-site improvements
 - d. Drainage Plans for on-site and off-site drainage
 - e. Water Utility plans and details
 - f. Storm water pollution prevention plans and details
 - g. Landscaping and irrigation plans and details.
2. Need design calculations and details for detention facility. The detention facility could be designed as an underground facility by using storm sewer culverts. This will provide more useable property for development. The detention facility can also be located closer to the discharge point located at the northwest corner of the project site.
3. Traffic flow through the project site is of concern. Current project layout will require the majority of traffic to enter off Keller Springs Road. Consideration needs to be given to possible future streets when the adjacent properties develop and/or redevelop. *(This item was addressed with the revised plan which added the fire lane across the south side of the western building).*
4. Fire access along the south side of the westernmost building is questionable. Extending the proposed fire lane westward to Addison Road will provide adequate fire access and can be incorporated as a street section. The turnaround shown at the fire lane and parking garage does not provide adequate clearance for the fire trucks with the parking garage. *(This item was addressed with the revised plan which added the fire lane across the south side of the western building).*
5. Offsite street improvements on Keller Springs Road and Addison Road are not readily identifiable. More detail is needed to show the improvements that are to be a part of this development.

RECOMMENDATION:

Staff believes that this project represents a good first step in a direction that Addison wants to go. The first plan had merit in that it did not use valuable land

for detention, and it provided the beginnings of R-streets. However, the staff believes this revised plan is still workable.

While the city is not ready to take dedication of the detention pond at this time, it might consider taking it in the future, provided the properties to the south and east of this site redevelop. At that time, the area could be extended to the east to provide a larger "central park" for a new development block. At that time, a design could be installed that either puts the detention underground, or formats it into a water feature. Therefore, the staff does not feel that the detention pond is entirely a negative for the site.

With regard to the streets, the staff has worked with the applicant to see that the fire lanes being constructed are "street capable." By that the staff wants to see that they are located at borders of the site so that they can be widened at some point in the future, and converted to full streets. Toward that goal, the staff recommends that the fire lane on the east end, and the one south of the eastern building, be shifted to the property line, and trees be planted along the inside edge of the fire lane, in the same spacing as the trees along the fire lane on the southwest corner of the property. If this is done, the trees will already be in place to convert these fire lanes to R-streets or mews streets at some point in the future.

Staff feels that this is a reasonable compromise because this applicant cannot require the adjacent properties to redevelop. If he went to the expense to put in the entire R-street section, and then for whatever reason, the adjacent properties did not redevelop, he would have borne the entire cost of developing streets that are never "double-loaded."

Staff recommends approval of the proposed change from C-2 to Planned Development zoning, subject to the following conditions:

Landscaping:

Applicant shall submit a revised plan that provides calculations of the percentage of landscaped area versus the gross site (with and without the detention/Pocket Park area), a revised landscape buffer along the east, west, and south sides of the detention area, a sidewalk along the west side of the detention area along Addison Road, and an alternative planting plan for the street trees shown along Addison Road and Keller Springs that will allow them more space to grow and mature.

In addition, the fire lane on the east side shall be moved to the east to be flush against the property line. The trees shall be shifted to the west side of the fire lane, in front of the units. The fire lane against the south

property (on the east end) shall also be moved to be flush against the south property line, and trees added in front of the units on the south.

Fire:

The revised plan shows a continuous fire lane, which is adequate, but the Department needs to be sure that the dimensions are sufficient. In addition, fire hydrants shall be installed at 300-foot intervals along the fire lane.

Engineering:

The site must be platted, and complete engineering drawings, including all drainage calculations, must be submitted with the final plat.

Respectfully submitted,

A handwritten signature in black ink that reads "CMORAN". The letters are stylized and connected, with a large "C" and "M" at the beginning.

Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning, meeting in regular session on September 28, 2006, voted to recommend approval of the request on application from Woodmont Development, subject to the following conditions:

Landscaping:

Applicant shall submit a revised plan that provides calculations of the percentage of landscaped area versus the gross site (with and without the detention/Pocket Park area), a revised landscape buffer along the east, west, and south sides of the detention area, a sidewalk along the west side of the detention area along Addison Road, and an alternative planting plan for the street trees shown along Addison Road and Keller Springs that will allow them more space to grow and mature.

In addition, the fire lane on the east side shall be moved to the east to be flush against the property line. The trees shall be shifted to the west side of the fire lane, in front of the units. The fire lane against the south property (on the east end) shall also be moved to be flush against the south property line, and trees added in front of the units on the south. The fire lanes shall be configured so that they can be converted to either R-streets, or Mews streets in the future

Fire:

The revised plan shows a continuous fire lane, which is adequate, but the Department needs to be sure that the dimensions are sufficient. In addition, fire hydrants shall be installed at 300-foot intervals along the fire lane.

Engineering:

The site must be platted, and complete engineering drawings, including all drainage calculations, must be submitted with the final plat.

Voting Aye: Bernstein, Chafin, Daseke, Gaines, Jandura, Wood

Voting Nay: None

Absent: Meier

Memorandum

Date: September 8, 2006
To: Carmen Moran, Director of Development Services
From: Slade Strickland, Director of Parks and Recreation
Subject: Development Plan/Keller Spring Lofts

Staff recommends not accepting dedication of the detention area on the southwest corner of the property as a public park as suggested by the applicant. With this in mind, the following conditions apply to the plan submitted:

1. Provide calculations of the percentage of landscaped area versus the gross site with and without the detention/Pocket Park area.
2. Provide a landscape buffer along the east, west and south sides of the detention area according to the requirements of Town's landscape regulations.
3. Grass and irrigate the detention area, and maintain on an ongoing basis.
4. Provide a sidewalk along the west side of the detention area along Addison Road.
5. Provide a landscape buffer along the east side of the property east of the fire lane according to the Town's landscape regulations.
6. Staff recommends that the applicant submit an alternative planting plan for the street trees shown along Addison Road and Keller Springs that will allow them more space to grow and mature. Based on the future curb line on Addison Road and Keller Springs, there will only be about three feet remaining between the back of the new curb and the tree trunks, leaving little room for the trees to grow to maturity. The close proximity to the new curb will also cause the tree canopies to be sheered by trucks when they mature. Even if they were planted as shown, they cannot be planted until the new curb lines are constructed. Planting the trees now would put the established tree root systems in harms way of future excavation and paving of the new curbs.

Carmen Moran

From: Gordon Robbins
Sent: Friday, September 22, 2006 1:51 PM
To: Carmen Moran
Subject: Woodmont - proposed fire lane with "s-curve"

This proposal appears to comply with applicable ordinances and standards. Hydrant locations are not show on the submittal, however they will be required at 300-foot intervals along the fire lane.

Thank you,

*Gordon C. Robbins
Deputy Fire Chief
Addison, Texas
972-450-7220*

INTEROFFICE MEMORANDUM

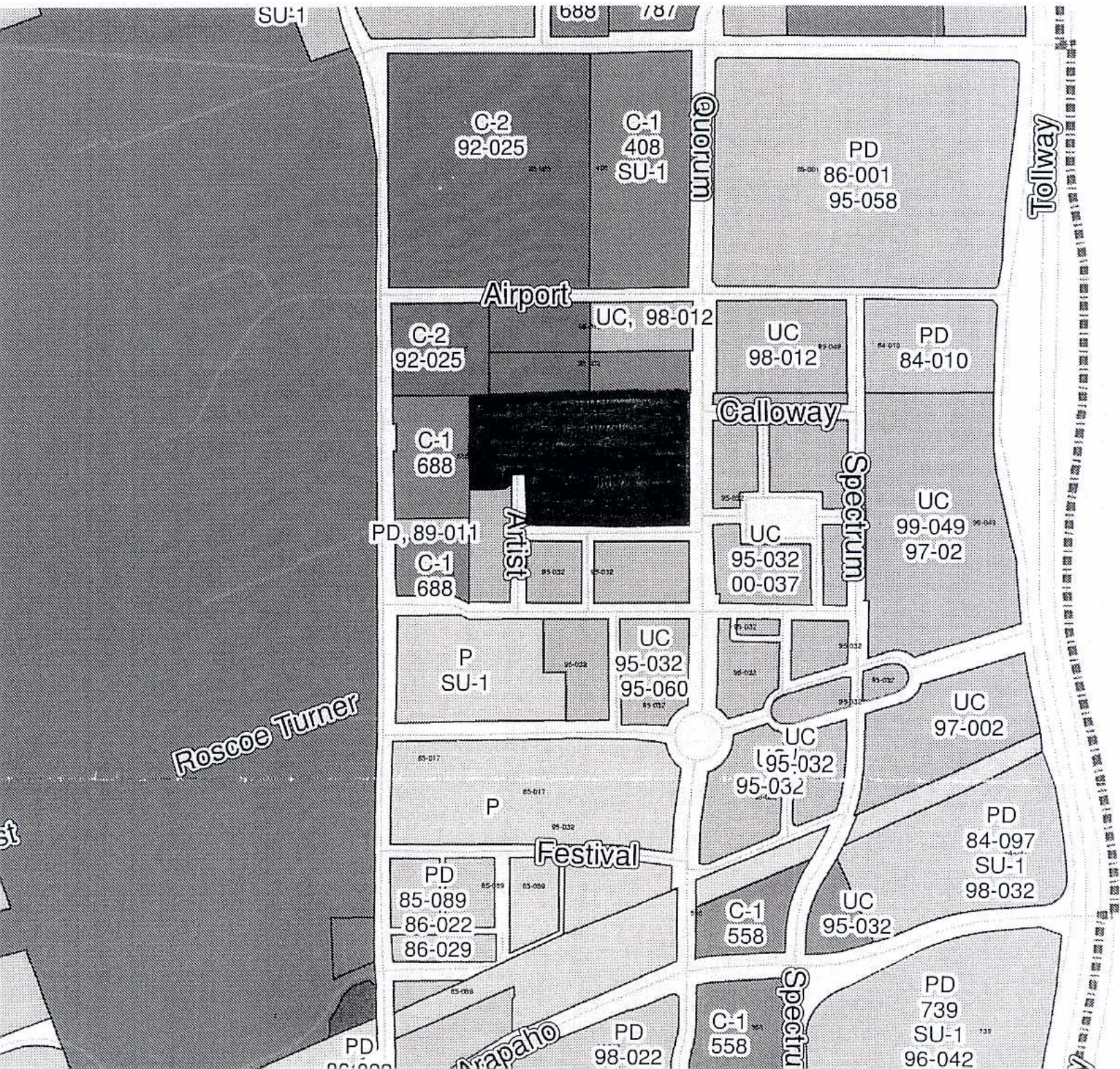
TO: NANCY S. CLINE, P.E.; DIRECTOR OF PUBLIC WORKS
FROM: FRANK DAVIS
SUBJECT: PLAN REVIEW OF KELLER SPRINGS LOFTS
DATE: 9/19/2006
CC: AARON RUSSELL, ASST. DIRECTOR OF PUBLIC WORKS

The following is a summary of our review of the referenced plans.

1. Complete engineered plans for the project need to be provided with the following information:
 - a. Plat with surveying data.
 - b. Site Dimensioning Plan.
 - c. Paving Plans for both onsite and offsite improvements.
 - d. Drainage Plans for onsite and offsite drainage
 - e. Water Utility Plans and details
 - f. Storm water pollution prevention plans and details
 - g. Landscaping and irrigation plans and details
2. Need design calculations and details for detention facility. The detention facility could be designed as an underground facility by using storm sewer culverts. This will provide more useable property for development. The detention facility can also be located closer to the discharge point located at the northwest corner of the project site.
3. Traffic flow through the project site is of concern. Current project layout will require the majority of resident traffic to enter off Keller Springs Road. Consideration needs to be given to possible future streets when the adjacent properties develop and/or redevelop.
4. Fire access along the south side of the westernmost building is questionable. Extending the proposed fire lane westward to Addison Road will provide adequate fire access and can be incorporated as a street section. The turn-around shown at the fire lane and parking garage does not provide adequate clearance for the fire trucks with the parking garage.
5. Offsite street improvements on Keller Springs Road and Addison Road are not readily identifiable. More detail is needed to show the improvements that are to be apart of this development.

1525-Z

PUBLIC HEARING Case 1525-Z/Fairfield Residential. Requesting approval of a final development plan, with waivers, for approximately 414 multi-family units in an Urban Center – Residential, district, located on 8.919 acres at the northwest corner of Goodman Avenue and Quorum Drive, on application from Fairfield Residential, represented by Mr. Larry Lee.





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

September 21, 2006

STAFF REPORT

RE: Case 1525-Z/Fairfield Residential, LLC

LOCATION: 8.919 acres in the Residential Sub-district of Addison Circle, and located north of Morris Avenue, west of Quorum Drive, south of Airport Parkway, and east of Addison Road

REQUEST: Approval of final development plans, With waivers, for a multi-family project of approximately 414 units.

APPLICANT: Fairfield Residential, LLC, represented by Mr. Larry Lee

DISCUSSION:

Background. Addison Circle is a development that was envisioned through a long-term planning process called Addison 2020. During that process, a group of Addison citizens determined that a neo-traditional, urban neighborhood, with mixed uses, would be a logical development direction for the Town. The Town worked for many months with Columbus Realty Trust on a set of development standards, which were codified into the Urban Center zoning district, a new zoning classification in the Addison Zoning Ordinance.

The "UC" Urban Center zoning classification was added to the zoning ordinance on May 3, 1995 through Ordinance 095-019. Columbus Realty, which later became Post Properties, constructed three phases of multi-family developments under the UC district regulations. Development plans for Phase I (460 residential units) were approved on

July 17, 1995 through Ordinance 095-032. Phase II (610 residential units, a 300,000 square foot office building, and six town homes) was approved on June 24, 1997 through Ordinance 097-029, and Phase III (264 residential units) was approved on March 9, 1999, through Ordinance 099-007. A condominium development (The Aventura) of 86 units was approved on November 9, 1999 through Ordinance 099-049. At this point, Addison Circle contains 1,330 residential units, approximately 340,000 square feet of Class A office space, and approximately 110,139 square feet of retail/restaurant space.

In July of 2000, Post Properties submitted a development plan for Phase IV in Addison Circle. That phase contained an additional 255 multi-family units and 7,986 square feet of retail space. It covered 3.27 acres at the northeast corner of Quorum Drive and Morris Avenue. The plan entailed some amendments to the Concept plan, and both the amendments and the development plan were approved on September 26, 2000 through Ordinance 000-037. However, later in 2000, Post Properties determined that it would not build any more units in Addison Circle and let its option to purchase additional pieces of land lapse.

The remaining land in Addison Circle was purchased by TexOK Properties, which then sold the two remaining large tracts in the residential sub-district to different developers. CityHomes, a subsidiary of Centex Homes, bought the property on the east side of Quorum Drive, between Quorum and Spectrum. CityHomes is now in the final development stages of their 183 townhome/condominium units.

The tract under discussion in this case is the remaining large tract on the west side of Quorum Drive. It was purchased by Fairfield Residential in 2003. In August of 2005, Fairfield Residential got approval for a revised concept plan, and approval of a final development plan for one tract (Lot 1, Block 1) of this development. The development plan approval was for a 7-story, 141- unit condominium building, but Fairfield later decided not to construct the building.

CONCEPT PLAN

The UC district regulations required that an overall concept plan be approved for the UC district before individual developments could be constructed. Fairfield amended the concept plan for the west side of Quorum Drive in August of 2005. The amendment set the streets in the location shown on this development plan, and increased the size of the park from 1.43 to 1.57 acres. The final development plan covered in this request is in accordance with the current concept plan.

DEVELOPMENT PLAN

Fairfield Residential is requesting approval of a final development plan for Lot 1, Block 1 and Lot 1, Block 2. Lot 1, Block 3 will be dedicated to the Town for park. The Parks staff has already completed the preliminary design for the park.

Fairfield is proposing four, four-story buildings. The buildings will contain all multi-family units with no retail uses. The workout space for the units and the central leasing office will be contained in the Lot 1, Block 1, building (on Quorum Drive). The facilities will be on the north side of the building on the ground floor and will run from the Quorum Drive side through to the park side.

The buildings are sized as follows:

Building 1:	4 story, 130 units
Building 2:	4 story, 95 units
Building 3:	4 story, 114 units
Building 4	4 story, 75 units

Total: 414 units

The facades are 90% brick on all sides of the buildings that face public rights-of-way. The facades in the courtyards are stucco.

DESIGN STANDARDS

The project does not propose any retail uses. The following standards are contained within the residential subdistrict of the "UC" Urban Center regulations:

Section 2. Use Regulations. The plans show a development that is 100% multi-family residential, which meets the use requirements.

Section 3. Dimensional and Design Standards

Subsection A, Lot Dimensions.

The minimum lot width dimension for a multi-family use is 200 feet. The minimum lot depth dimension for a multi-family use is 200 feet. Lot 1, Block 1 meets the requirements. However, Lot 1, Block 2 is only 170 feet deep. As this property is at the edge of the district, there is not any more land available to make the lot deeper. The staff recommends a design standard waiver be approved for lot depth.

Subsection B, Intensity of use

1. *Maximum lot coverage*

The maximum lot coverage for a multifamily use shall be 85%. This project complies with that standard.

Subsection C. *Minimum area per dwelling unit*

Each project must provide an average of 800 square feet for units. This project's units will average 863 square feet. The minimum area per dwelling unit is 700 square feet for a 1-bedroom, 900 square feet for a 2-bedroom, and 1,000 square feet for a 3-bedroom unit. In this project, the smallest 1-bedroom unit is 702 square feet. The smallest 2-bedroom unit is 1,035 square feet, and there are no 3-bedroom units. All units are larger than the minimum required unit size.

Subsection D. *Building heights.*

The minimum height for a multifamily building is 40 feet. The maximum height is 92 feet. This building is 66 feet tall, which is within the standards.

Subsection E, Paragraph 7. *Patios*

The ordinance provides that patios may not be constructed within the required setback zone. The applicant is not proposing any patios, and only has one or two stoops per building.

Subsection H. *Parking.*

The parking standards for all types of residential uses in the district require one off-street parking space per bedroom up to a maximum of two spaces per unit. According to the staff's calculations, the building will require a minimum of 502 spaces. The plans indicate the project will provide 680 parking spaces, which exceeds the requirement.

Subsection J., Paragraph 1 (a) *Exterior appearance.*

Fairfield is proposing elevations that will be 90% brick, with some stucco features, on all facades that face public streets. The inside courtyards of the buildings will have stucco facades. The materials propose meet the requirements of the ordinance. The roof material is not specified, but the applicant understands that composition shingles are prohibited on all sides of the gabled roof that are visible from the exterior of the project.

Subsection J., Paragraph 2 (a) *Colors.*

Colors. The colors for the buildings are shown in the colored elevation drawings the applicant has provided. They are within the colors required in the ordinance, which are: warm gray, red, beige, and/or brown.

Subsection K. *Landscaping Requirements*. The applicant has indicated it will follow the UC district standards for all landscaping in the streets. The applicant has actually provided construction drawings for Slade to review, and he has made several comments regarding the construction items, which are as follows:

1. Change the planting plan for all 5'X5' tree well planters to include a dwarf Yaupon border with no planting in the middle of the 5'X5' tree wells. The same will apply to the 5'X9' tree well planters except the center of the tree well will be planted with John Fanick Perennial Phlox 12" o.c.. Trees shall be backfilled with clean, native black clay topsoil free of debris and rock larger than 1inch in diameter.
2. Soil in the tree well planters shall be prepared using the EarthKind™ Landscape Management Program. This shall include tilling three inches of expanded shale to a depth of 6 inches, then additionally tilling 3 inches of well-composted organic matter on top of that. After planting, apply a 3 inch layer of shredded hardwood mulch. Submit samples of all soil amendment materials, including mulch to the Town for approval prior to beginning work.
3. All tree pit backfill and tree well planter top soil shall be clean, native black clay soil free of rock 1 inch or larger. Backfill/topsoil shall be approved by the Town. The contractor shall provide the source of the soil to the owner for review and approval.
Note: The planting details and project manual specifications for the trees and shrubs need to be changed to reflect the aforementioned soil amendment procedure and planting recommendations.
4. Live Oaks need to be changed to 'Highrise' Live Oaks.
5. Does the park need to be dedicated to the Town?
6. Provide a detail on how the brick paver band will be secured that border the tree wells.
7. Provide the brick paver type/color/brand on the paver details.
8. Why are bollards shown on Ringo?
9. Provide a detail of the Bega light being specified. Is this the double -headed fixture? Poles and light fixtures need to be painted and sealed to prevent chalking caused by UV.
10. Is there adequate storm drainage provided on the SE corner of the park?
11. Is the 1 1/2" water meter the right size for the streetscape landscaping?

12. How is the subsurface drainage going to be reconnected where the Goodman tree well is shown to be removed?
13. What will the irrigation controller breaker box and meter base be housed in. Provide specifications on a black finished cabinet. See Parkview Park cabinet.
14. Confirm electrical stub out, water source and sleeves for park.
15. Provide one-year turn-key landscape and irrigation maintenance for landscaping.
16. Add park clean up requirements including ripping/tilling the site to eliminate the soil compaction.

The applicant is working on revising the construction drawings to reflect the changes suggested by Slade and answer the questions. With regard to comment #5, the answer is "yes" the park does need to be dedicated, and that will be accomplished through the final plat. With regard to comment #8, the staff has made the decision to eliminate bollards on Ringo Place because they are a maintenance headache, and they don't discourage people from parking in the mews, which was their original intent. Those will be eliminated.

In addition, the staff and developer have worked on solution to buffer this project from the adjacent South and Western Insurance building to the north. The developer is proposing a six-foot black steel fence, similar to the fence on the Addison Road end of Addison Circle Park that would run east and west along the north property line. This fence would then be planted with crossvine, which is the same vine the Town used on the pergola structure at Addison Circle Park. Once the fence reaches the Post Office property, it will change to black chain-link (similar to what the Town has used at Addison Road on the south side of Festival Way). The crossvine planting scheme will be continued on the chain-link fence around the perimeter of the property.

The Addison Circle Master Facilities agreement, which provided city funding for various elements in the district, calls for the applicant to dedicate the 1.57 acre park shown on the plans to the City. Once the land for the park is dedicated, the Town will fund all improvements for the park. The Town and developer have already agreed on a proposed design for the park. Fairfield intends to use the park property for their construction staging, but once all units are constructed, the Town will build the park.

Fire Code Requirements. The Fire Prevention Chief has reviewed the plans, and notes the following:

- The fire lane on the north and west sides of the development must be continuous from Quorum to Artist Way, and be constructed of an approved all-weather driving surface capable of supporting a 100,000 pound vehicle.

Specifications for the design and marking of the fire lane have been provided to the developer and are attached. We have stipulated previously that the minimum width of this fire lane may be 20 feet rather than the 24-feet as stated in the specifications.

-In addition, the Fire Department is opposed to the gating or other obstruction of the fire lane as this drive will be our primary access to the sprinkler valves, alarm panels, and other fire service features of the buildings.

The applicant will be required to continue the fire lane between the south end of his building on Artist Way and the north end of the Post Properties Phase III building. At present, that area has a grass paver surface and a dead-end fire lane. However, the applicant will have to remove the grass paver surface and replace it with a concrete fire lane. The applicant is working on design solutions, such as a patterned concrete, to make this fire lane between the two buildings as attractive as possible.

Engineering. The Public Works Department is currently reviewing the construction documents. Their comments all relate to technical engineering items, and they are discussed in the staff report on the final plat, Lot 1, Block 1, Lot 1, Block 2, Lot 1, Block 3, Addison Fairfield Addition

Building Code. Lynn Chandler, the Building Official, has examined the plans, and he notes the following:

-All construction shall comply with the 2000 IBC, IPC, IMC, IECC, IFC, and 2002 NEC.

-The buildings shall be sprinklered throughout, including the parking garage.

SUMMARY

The staff is pleased to have additional units constructed in Addison Circle. The staff believes Addison Circle needs about 5,000 residents to make it a real neighborhood, and this development would finish out the last remaining land in the residential subdistrict. In addition, the product proposed meets all the standards of the ordinance, with the exception of the one waiver needed for lot depth. It is product of the height and density required by the standards, and it meets the requirements for brick facades on all sides visible from public streets.

RECOMMENDATION

Staff recommends approval of the proposed final development plan with the following waivers to design standards:

Waiver 1 – Section 3. Dimensional and Design Standards

Subsection A, Lot Dimensions.

The minimum lot width dimension for a multi-family use is 200 feet. The minimum lot depth dimension for a multi-family use is 200 feet. Lot 1, Block 1 meets the requirements. However, Lot 1, Block 2 is only 170 feet deep. As this property is at the edge of the district, there is not any more land available to make the lot deeper.

Staff recommends a design standard waiver be approved for lot depth.

Staff recommends approval of the development plan subject to the following conditions:

-The fire lane on the north and west sides of the development must be continuous from Quorum to Artist Way, and be constructed of an approved all-weather driving surface capable of supporting a 100,000 pound vehicle.

-In addition, the Fire Department is opposed to the gating or other obstruction of the fire lane as this drive will be our primary access to the sprinkler valves, alarm panels, and other fire service features of the buildings.

-All construction shall comply with the 2000 IBC, IPC, IMC, IECC, IFC. and 2002 NEC.

-The buildings shall be sprinklered throughout, including the parking garage.

Respectfully submitted,

A handwritten signature in black ink that reads "C Moran". The signature is stylized with a large, looped "C" and a more fluid, cursive "Moran".

Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on September 28, 2006, voted to recommend approval of your request subject to the following waivers to design standards and conditions:

DESIGN WAIVER

Waiver 1 – Section 3. Dimensional and Design Standards
Subsection A, *Lot Dimensions*.

The minimum lot width dimension for a multi-family use is 200 feet. The minimum lot depth dimension for a multi-family use is 200 feet. Lot 1, Block 1 meets the requirements. However, Lot 1, Block 2 is only 170 feet deep. As this property is at the edge of the district, there is not any more land available to make the lot deeper.

CONDITIONS FOR APPROVAL

-The fire lane on the north and west sides of the development must be continuous from Quorum to Artist Way, and be constructed of an approved all-weather driving surface capable of supporting a 100,000 pound vehicle.

-In addition, the Fire Department is opposed to the gating or other obstruction of the fire lane as this drive will be our primary access to the sprinkler valves, alarm panels, and other fire service features of the buildings.

-All construction shall comply with the 2003 IBC, IPC, IMC, IECC, IFC. and 2002 NEC.

-The buildings shall be sprinklered, including all portions of the parking garage deemed necessary by the Fire Marshal.

Voting Aye: Bernstein, Chafin, Daseke, Gaines, Jandura, Wood
Voting Nay: None
Absent: Meier

Memorandum

Date: September 8, 2006
To: Carmen Moran, Director of Development Services
From: Slade Strickland, Director of Parks and Recreation
Subject: Final Plat/Addison Fairfield

Comments for construction plans dated 8/31/06:

1. Change the planting plan for all 5'X5' tree well planters to include a dwarf Yaupon border with no planting in the middle of the 5'X5' tree wells. The same will apply to the 5'X9' tree well planters except the center of the tree well will be planted with John Fanick Perennial Phlox 12" o.c.. Trees shall be backfilled with clean, native black clay topsoil free of debris and rock larger than 1 inch in diameter.
2. Soil in the tree well planters shall be prepared using the EarthKind™ Landscape Management Program. This shall include tilling three inches of expanded shale to a depth of 6 inches, then additionally tilling 3 inches of well-composted organic matter on top of that. After planting, apply a 3 inch layer of shredded hardwood mulch. Submit samples of all soil amendment materials, including mulch to the Town for approval prior to beginning work.
3. All tree pit backfill and tree well planter top soil shall be clean, native black clay soil free of rock 1 inch or larger. Backfill/topsoil shall be approved by the Town. The contractor shall provide the source of the soil to the owner for review and approval. Note: The planting details and project manual specifications for the trees and shrubs need to be changed to reflect the aforementioned soil amendment procedure and planting recommendations.
4. Live Oaks need to be changed to 'Highrise' Live Oaks.
5. Does the park need to be dedicated to the Town?
6. Provide a detail on how the brick paver band will be secured that border the tree wells.
7. Provide the brick paver type/color/brand on the paver details.
8. Why are bollards shown on Ringo?
9. Provide a detail of the Bega light being specified. Is this the double-headed fixture? Poles and light fixtures need to be painted and sealed to prevent chalking caused by UV.
10. Is there adequate storm drainage provided on the SE corner of the park?

Memorandum

To: Carmen Moran, Director of Development Services
From: Gordon C. Robbins, Deputy Fire Chief
Date: Wednesday, September 13, 2006
Re: Case 1525-Z/Fairfield Residential



As discussed in the 9-12-06 meeting: The fire lane on the north and west sides of the development must be continuous from Quorum to Artist Way, and be constructed of an approved all weather driving surface capable of supporting a 100,000 pound vehicle. Specifications for the design and marking of the fire lane have been provided to the developer, however I have attached another copy with this memo. We have stipulated previously that the minimum width of this fire lane may be 20-feet rather than the 24-feet as stated in the specifications.

After discussion with the Fire Command Staff, the Fire Department is opposed to the gating or other obstruction of the fire lane as this drive will be our primary access to the sprinkler valves, alarm panels and other fire service features of the buildings.

Thank you for the opportunity to review this submittal. Please contact me if further information is required.

GCR/g

Fire Lanes



Topic: Fire Lane Specifications
Scope: All new or existing fire lanes in **Addison**
Authority: 2000 International Fire Code & Ordinance 000-044
Effective: November 14, 2000

It is the policy of the Addison Fire Department that all buildings, structures and locations in the Town shall be readily accessible to emergency vehicles.

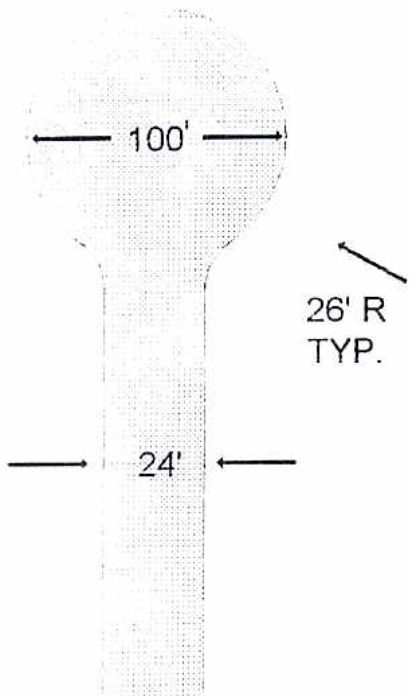
- 1) Fire lanes are generally required when any portion of a structure is located more than 150-feet from a dedicated public street. Requirements for emergency access may be modified depending on circumstances specific to the site.
- 2) The location and configuration of all fire lanes shall be approved by the Fire Department prior to construction or modification.
- 3) Fire lanes shall be a minimum of 24-feet in width.
- 4) Curve and turn radii within fire lanes shall be a minimum of 26-feet inside and 50-feet outside.
- 5) A minimum clear height of 14-feet shall be maintained above the length of fire lanes.
- 6) Fire lanes shall be constructed of an approved all-weather driving surface capable of supporting a 100,000-pound vehicle.
- 7) Fire lanes shall not exceed 150-feet in length without providing an approved turn-around (see attachment 1 for an illustration of acceptable alternatives).
- 8) Fire lane striping and marking shall be approved by the Fire Department and shall be posted conspicuously along the length of the fire lane (see attachment 2 for illustration).
- 9) Fire hydrants, properly connected to an approved water supply, shall be located at 300-foot intervals along fire lanes. Specific hydrant locations shall be approved by the Fire Department prior to installation.
- 10) Security gates or other devices or arrangements that limit emergency access must be approved by the Fire Department and shall conform to Town ordinances regulating such devices.

** end **

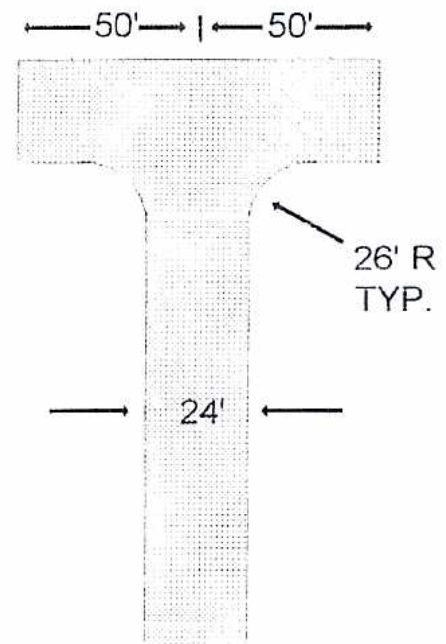
Addison!

FIRE DEPARTMENT FIRE PREVENTION DIVISION

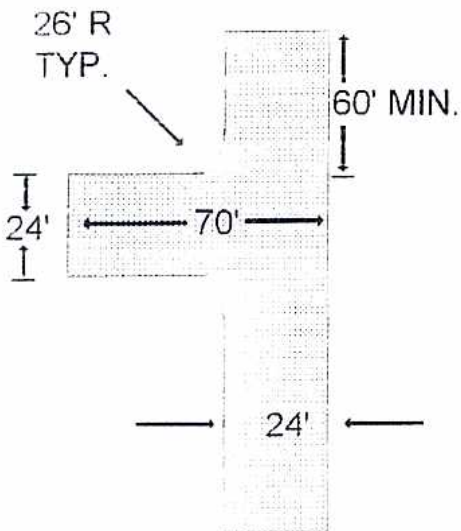
PERMISSIBLE FIRE LANE TURN AROUNDS



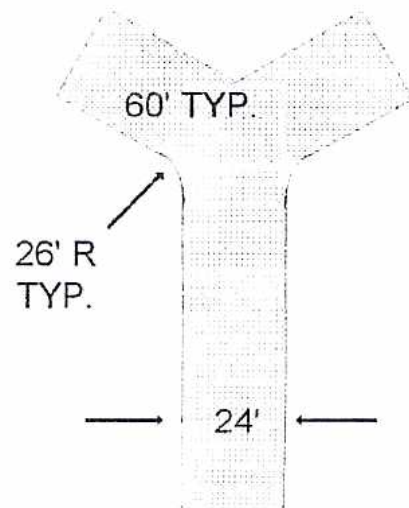
100' DIAMETER
CUL-DE-SAC



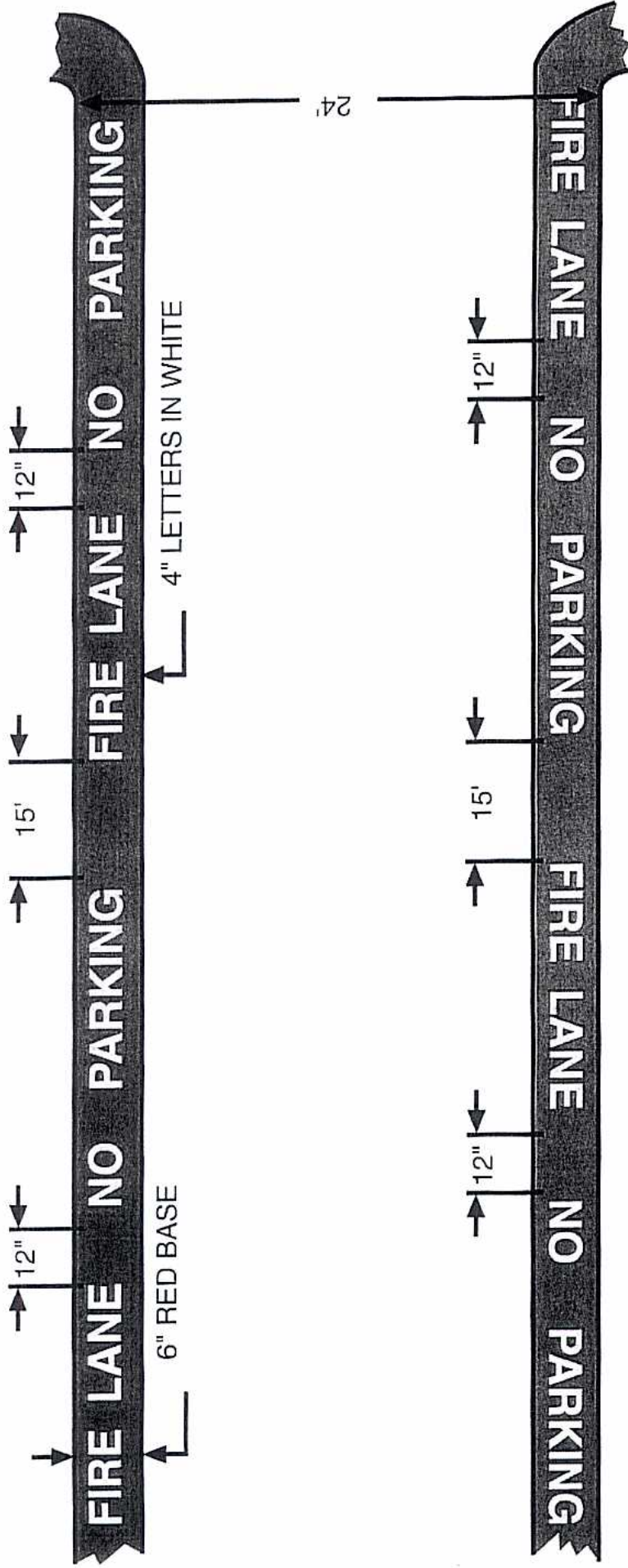
100' DIAMETER
HAMMERHEAD



ACCEPTABLE
ALTERNATIVE TO



ACCEPTABLE
ALTERNATIVE TO

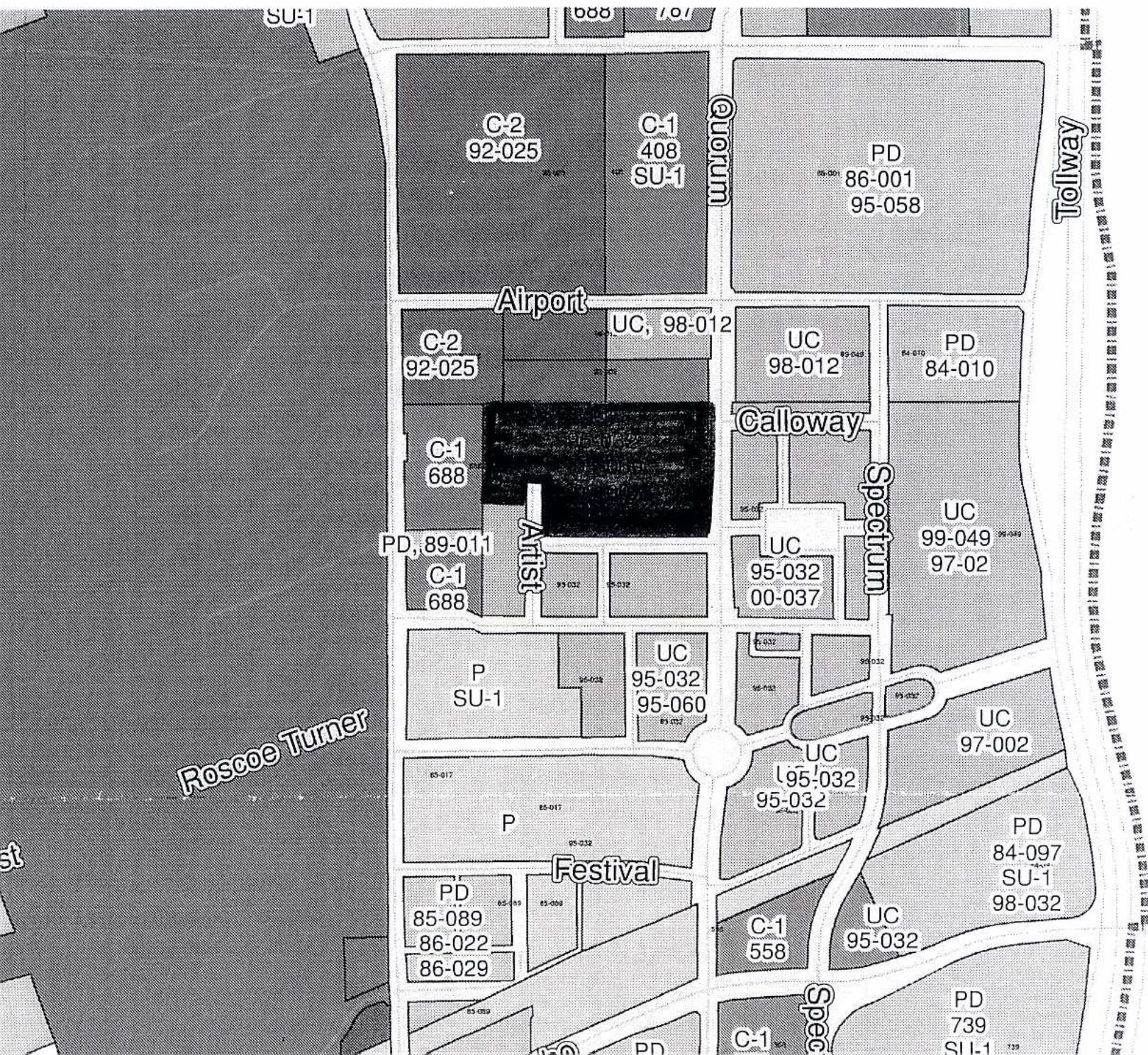


1. "FIRE LANE NO PARKING" TO BE PAINTED ENTIRE LENGTH OF DEDICATED FIRE LANE.
2. WHERE PRACTICAL, ALL FIRE LANE MARKINGS SHALL BE REQUIRED TO BE PLACED ON THE CURB.
3. WHERE THE ABOVE FIRE LANE MARKINGS ARE DETERMINED TO BE INADEQUATE IN CONTROLLING TRAFFIC, THE PROPERTY OWNER WILL BE REQUIRED TO POST FIRE LANE SIGNS IN ADDITION TO OTHER FIRE LANE MARKINGS.
4. WHEN RESTRIPIING, ADDITIONS TO THE EXISTING FIRE LANES ARE NOT ALLOWED WITHOUT PRIOR APPROVAL OF THE FIRE DEPARTMENT.
5. FOR ADDITIONAL FIRE LANE SPECIFICATIONS, PLEASE CONTACT THE FIRE DEPARTMENT.



FINAL PLAT/Lot 1, Block 1, Lot 1, Block 2, Lot 1, Block 3, Addison Fairfield Addition.

FINAL PLAT/Lot 1, Block 1, Lot 1, Block 2, Lot 1, Block 3, Addison Fairfield. Requesting final plat approval for three lots on 8.919 acres in the UC – Urban Center District, Residential sub-district, located on 8.919 acres the northwest corner of Goodman Avenue and Quorum Drive, on application from Fairfield Residential, represented by Mr. David Meyers of Huitt-Zollars, Inc.





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

FAX (972) 450-7043

September 21, 2006

STAFF REPORT

RE: FINAL PLAT/Lot 1. Block 1, Lot 1, Block 2, Lot 1, Block 3, Addison Fairfield Addition

LOCATION: Three lots of 8.919 acres in the UC District, Residential subdistrict, at the northwest corner of Quorum Drive and Goodman Avenue

REQUEST: Approval of a final plat

APPLICANT: Huitt-Zollars, Inc, represented by Mr. David Meyers

DISCUSSION:

Background. Fairfield Residential owns an 8.919-acre tract in this district. In 2005, it filed a plan to develop only one tract of the property. The Town approved a plat for the one tract, but the plat was never filed. It now plans to develop the entire property at one time, and will plat the entire 8.919 acres. It will also dedicate the 1.57 acre park to the town, as well as all streets and rights-of-way.

Public Works Review. The Public Works Department is currently reviewing the plat and construction documents. It has the following comments:

1. Plat needs to be revised to clearly reflect dedication of park and street rights-of-way to the Town.
2. Plat needs to be revised to provide a Certificate of Approval, with lines available for the date the plat was approved by the Town, a signature line for the Mayor, and a signature line for the City Secretary.
3. Applicant shall revise construction plans to address all comments made by the Public Works Department. All revisions shall be made to the

construction documents before the final plat will be filed.

Staff recommends approval of the proposed final plat for the Lot 1, Block 1, Lot 1, Block 2, Lot 1, Block 3, Addison Fairfield Addition, subject to the conditions listed above.

Respectfully submitted,



Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on September 28, 2006, voted to recommend approval of the final plat, on application from Fairfield Residential, subject to the following conditions:

1. Plat needs to be revised to clearly reflect dedication of park and street rights-of-way to the Town.
2. Plat needs to be revised to provide a Certificate of Approval, with lines available for the date the plat was approved by the Town, a signature line for the Mayor, and a signature line for the City Secretary.
3. Applicant shall revise construction plans to address all comments made by the Public Works Department. All revisions shall be made to the construction documents before the final plat will be filed.

Voting Aye: Bernstein, Chafin, Daseke, Gaines, Jandura, Wood

Voting Nay: None

Absent: Meier

INTEROFFICE MEMORANDUM

TO: NANCY S. CLINE, P.E.; DIRECTOR OF PUBLIC WORKS
FROM: FRANK DAVIS
SUBJECT: PLAN REVIEW –ADDISON RESIDENTIAL ADDITION
DATE: 9/19/2006
CC: AARON RUSSELL, ASST. DIRECTOR OF PUBLIC WORKS

David Wilde and I have reviewed the construction plans for the Addison Residential Addition and have provided comments directly on the plan set. The following is a summary of the review of the referenced plans.

1. Need to provide the plan and profile paving plans for the proposed Fire Lane along perimeter of development. The existing grass-crete section that the new fire lane will connect to will need to be replaced to match the new section.
2. The bollards shown on Ringo Place will not be required.
3. The existing brick paver sidewalk section along the north side of Goodman Avenue will need to be replaced. The existing brick paver section was originally installed as a "temporary" section and consists of brick pavers on flexible base. A paver – concrete base section is required.
4. The plans do not show a retaining wall section along the north side of Goodman Avenue and west side of Quorum Drive at Lot 1, Block 1. The contours indicate a difference in elevations of 3.5' to 6.5'. Need to show retaining wall layout, wall design and details. Is the wall to be incorporated into the building?
5. Is the storm sewer lateral shown at the northeast corner of the Park – Open Space lot needed? Contours show surface flow towards the south and southeast where a 21" storm sewer stubout already exists. Is this existing 21" storm sewer adequate for the runoff for this lot?
6. How is storm drainage in fire lane being collected?
7. Pavement marking and signage – primarily for fire lane.
8. Water Utilities:
 - a. Fire hydrant layout to be revised to show typical Addison requirements.
 - b. Show locations of building services and meters, both fire and domestic.
 - c. Show location of irrigation meter and vault. Will the one proposed irrigation meter be adequate to service the entire proposed landscaping irrigation plans?
 - d. Typical Addison details are included with the plan markups.

Memorandum

To: Carmen Moran, Director of Development Services
From: Gordon C. Robbins, Deputy Fire Chief
Date: Thursday, August 31, 2006
Re: Final plat / Addison Fairfield



The Fire Department has no comment on this submittal. Thank you.

GCR/g

Council Agenda Item: #R7

SUMMARY:

Presentation of the Belt Line Road Corridor Revitalization Strategy which includes the proposed Incentive Policy and Guidelines for qualifying projects.

FINANCIAL IMPACT:

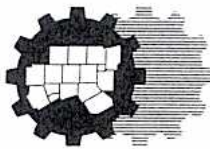
NA

BACKGROUND:

You'll recall that Council authorized the Leland Consulting Group to assist the Town in developing appropriate financing mechanisms and incentives to attract private sector partners. As a result of that work, the Belt Line Corridor Revitalization Strategy was developed. Much of the work incorporated in that strategy has been previously shared with City Council. At this meeting Leland Consulting will present the final piece of that strategy which is the proposed incentive policies and guidelines. The proposed policies and guidelines have been modified to reflect staff input.

RECOMMENDATION:

Staff recommends that Council direct the City Attorney to prepare an ordinance adopting the proposed policies and guidelines.



North Central Texas Council Of Governments

TO: City Manager

DATE: September 12, 2006

FROM: Gregg Dawson *GSD*
Emergency Preparedness
Program's Director, NCTCOG

SUBJECT: Regional Emergency Preparedness Planning Council (EPPC) Nominations

The Council of Governments hosted an Emergency Preparedness Conference in February of 2002, which dealt primarily with the threats of bioterrorism. At the conclusion of the conference, several elected officials requested that we develop a program that would facilitate the coordination and integration of the various emergency preparedness plans of our membership and to include other stakeholders such as state and federal agencies, hospitals, and other private sector entities. By having a more integrated and coordinated emergency planning process, it is believed that the region could do a better job of responding to a large scale, catastrophic event. It would also strengthen response capabilities to other natural and human caused emergency situations.

In response to this request, our Executive Board authorized the creation of a Regional Emergency Preparedness Planning Council at its Board meeting on April 25th 2002. The Council is composed of members of elected officials from participating cities and counties. Cities are to be grouped into population brackets in accordance with population estimates. Each participating city may nominate an elected official to be considered for a seat on the Council. Each population bracket will be assured a minimum of one seat on the Council. Population brackets with one to five participating cities will be assigned 1 seat, brackets with six to eleven cities will be assigned 2 seats, and brackets with twelve or more cities will be assigned 3 seats.

Due to the two-year term limitations of the council members, it has become time to solicit new nominations from participating cities. The Executive Board will review all nominations and select members at its November 16, 2006 Board Meeting. In order to receive your nominations for the Executive Board, please return the attached form to the Emergency Preparedness Department no later than October 31, 2006.

We have included our Departmental Report, Current EPPC Roster, as well as the Nomination Form.

Please be sure to check the Emergency Preparedness website to see the current work of the council and department. www.nctcog.org/ep

I appreciate your support of this program and look forward to working with you to increase our regional emergency preparedness capacity even more over the next two years.

mm
Attachments

Emergency Preparedness Planning Council
Nomination Form

Date ____/____/2006

Elected Official Nominated _____

Title _____ City of _____

Mailing Address _____

City _____ Zip Code _____

Email Address _____ Phone Number (____)____-_____

What contributions could the nominated make to the council?

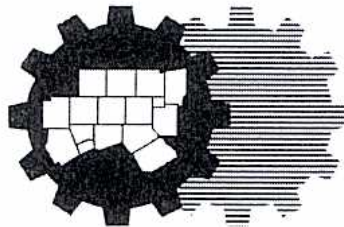
Nominated By _____

Title _____ City of _____

Mailing Address _____

City _____ Zip Code _____

Email Address _____ Phone Number (____)____-_____



Please return the nomination form in the enclosed addressed envelope to the
North Central Texas Council of Governments Emergency Preparedness Department.
In order to present the nominations to the Executive Board we will need to have all
nominations sent in by October 31, 2006.

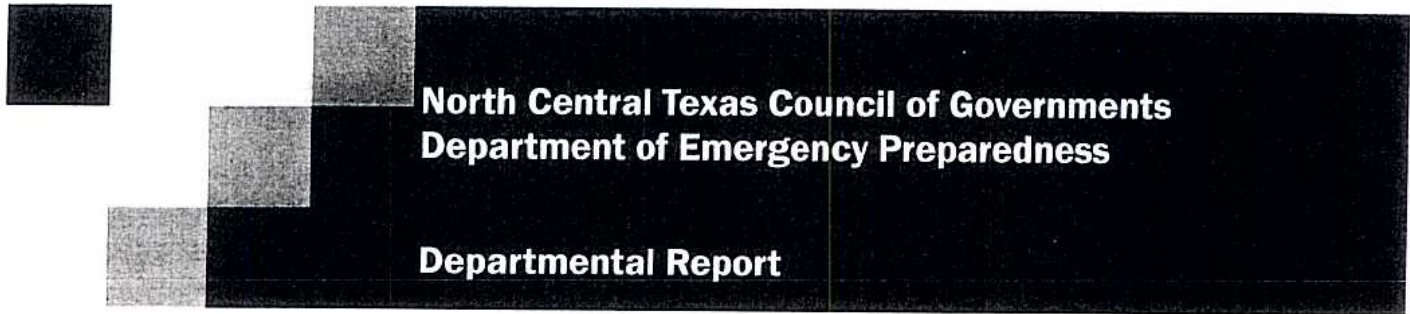
FY 2007 Emergency Preparedness Planning Council Rotation Log

Please see the key below and nominate a representative for the appropriate population bracket.

First Name	Last Name	Title	Population	City	County
Margaret	Kelther	County Judge	COUNTY		Dallas
Tom	Vandergriff	County Judge	COUNTY		Tarrant
Ron	Harris	County Judge	COUNTY		Collin
Bobbie	Mitchell	Commissioner	COUNTY		Denton
Gary	Griffith	Councilmember	750,000 +	Dallas	Dallas, Collin Denton
Chuck	Silcox	Senior Councilmember	400,000-749,999	Fort Worth	Tarrant, Denton
Bob	Cluck	Mayor	250,000-399,999	Arlington	Tarrant
Randall	Dunning	Councilmember	170,000-249,999	Garland	Dallas
SEEKING NOMINATION			249,000-399,999		
SEEKING NOMINATION			80,000-119,999		
SEEKING NOMINATION			80,000-119,999		
Jody	Smith	Mayor	50,000-79,999	Flower Mound	Denton, Tarrant
Bobby	Waddle	Mayor Pro Tem	30,000-49,999	DeSoto	Dallas
SEEKING NOMINATION			30,000-49,999		
SEEKING NOMINATION			30,000-49,999		
John	Mondy	Mayor	15,000-29,999	Wylie	Collin
SEEKING NOMINATION			15,000-29,999		
SEEKING NOMINATION			15,000-29,999		
SEEKING NOMINATION			5,000-14,999		
SEEKING NOMINATION			5,000-14,999		
SEEKING NOMINATION			5,000-14,999		

Key:

Carrollton	Bedford	Bath Springs	Addison
Denton	Cedar Hill	Bedford	Azle
Frisco	Coppell	Colleyville	Crowley
Lewisville	DeSoto	Comptche	Everman
McKinney	Duncanville	Farmers Branch	Forest Hill
Richardson	Grapevine	Little Elm	Glenn Heights
	Haltom City	Rockwall	Highland Park
	Hurst	Salt Lake	Highland Village
	Keller	Saginaw	Kennedale
	Lancaster	Southlake	Lake Dallas
	Mansfield	University Park	Lake Worth
	The Colony	Watauga	Murphy
	Wylie	White Settlement	Richland Hills
			River Oak
			Seagoville
			Trophy Club



**North Central Texas Council of Governments
Department of Emergency Preparedness**

Departmental Report

Words from the Director

Spotlight:

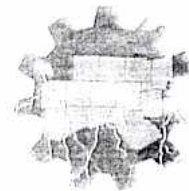
- New EP Website
- SNS Drill was a success! More on page 5.
- You can now register for training classes on our website.
- Keep your contact information current using LOCATE. More on page 10.
- We are now accepting nominations for the Hot Stuff Award. More on page 2.

We have moved quickly through the first half of 2006 and taken on most everything that has been thrown at us. We may have become "quicker, faster and smarter" in 2005 and early 2006, but we are now also faced with many new challenges such as shelter and evacuation planning requirements, less funding, and short timelines that further tax an already overburdened and understaffed Emergency Management workforce. National plan reviews, capability assessments, implementation plans, strategy development, and a range of exercise requirements, among other things, all continue to stretch our stakeholders to the limit. Nonetheless, we achieved everything we set out to achieve in our previous year's forecast.

The Urban Area Security Initiative (UASI) grant managers and the State Homeland Security Grant Managers, known as the Regional Emergency Preparedness Advisory Committee or (REPAC), worked hard to mesh regional goals with state and federal strategies and goals while keeping the interests and needs of citizens in the North Central Texas area at the forefront. These combined programs, which provided for over 30 million dollars worth of regional projects over the past year, some new and some of which are ongoing, must now face the challenge of re-prioritization and nearly a 50% combined funding cut.

The efforts of these groups spawned about 15 smaller regional working groups or subcommittees for hazardous materials

responders, SWAT teams and a number of other disciplines in the region. These subcommittees will help guide many of our regional projects as technical advisors. The governance structures used in managing the SHSP and UASI programs have received continued and notable praise from our state and federal partners as an example of how to do things. Our Citizens Corps Council program also continues to lead the state with 23 CERT teams in our region, helping Texas to now lead the nation in CCC activity. — **Gregg Dawson**



Inside this issue:

Emergency Preparedness Planning Council	2
State Homeland Security Grant Program	3
Citizen Corp Council	3
Urban Area Security Initiative	3
Cities Readiness Initiative	5
Training and Exercises	8
EP Contact Information	10

Looking to the Future

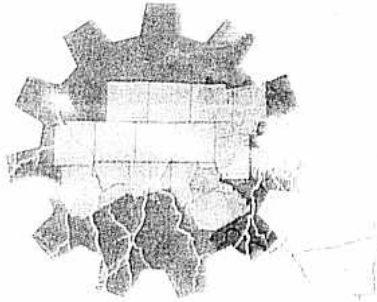
In our immediate future, we will face drastically reduced funding, several regional exercises, efforts to combine funding streams and deliverables from a myriad of grant programs, updating/upgrading of emergency operations plans, National Incident Management System compliance, state and regional strategy implementa-

tion and development of a regional coordination plan (RCP). We are proud to say that the RCP is well on its way with over 40 regional stakeholders from a wide range of disciplines already finished with phase one of the project, well ahead of our tasking by the state. Please look for information on the RCP and other programs at

www.nctcog.org/ep where you will be able to check the regional calendar, provide suggestions and feedback on any subject, visit the photo gallery or cast your vote for a potential "Hot Stuff Award" winner. Thanks again for your support and dedication to public service. Now, read on to see what we've been up to.

Department of Emergency Preparedness Mission

The primary mission of the Department of Emergency Preparedness is to build a foundation for lasting partnerships and proactive Emergency Preparedness in North Central Texas through advocacy, information sharing, and collaboration. The department accomplishes this mission by leveraging existing efforts and resources across discipline lines and to explore new opportunities in which many public and private agencies can work together in strengthening regional emergency preparedness; and acting as a convener, coordinator, communicator and advocate for training, planning, partnering, and funding opportunities from local, state, federal or private resources. The department also partners with state and federal agencies that are charged with emergency management mitigation, training, response and recovery responsibilities.



Emergency Preparedness Planning Council (EPPC)

EPPC Members

Dallas – Gary Griffith
 Fort Worth — Chuck Silcox
 Arlington – Dr. Bob Cluck
 Garland – Randall Dunning
 Mesquite – John Monaco
 Carrollton – Tim Hayden
 Flower Mound – Jody Smith
 Coppell – Thom Suhy
 DeSoto – Bobby Waddle
 Wylie – John Mondy
 Benbrook – Rick Allison
 Sachse – Charles Smith
 Saginaw – Frankie Robbins

Meetings Moved From Friday to THURSDAY!

The Council, which is a group of local elected officials from the 4 metropolitan counties, was created to provide guidance and recommendations for the Emergency Preparedness department and the NCTCOG Executive Board. There are currently 19 members representing small, medium, and large jurisdictions. The Council meets every two months to review staff projects and provide guidance on regional policies. For more information, please contact Molly McFadden at 817-608-2322 or at mmcfadden@nctcog.org.

EPPC Meeting Schedule

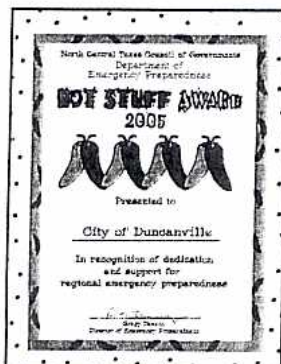
Thursday, July 13, 2006
 *9:30 AM to 11:30 AM

Thursday, September 14, 2006
 *9:30 AM to 11:30 AM

Thursday, November 9, 2006
 *9:30 AM to 11:30 AM

Counties

Dallas – Margaret Keliher
 Tarrant – Tom Vandergriff
 Collin – Ron Harris
 Denton – Bobbie Mitchell



We are now accepting nominations for the Hot Stuff Award. If you would like to nominate someone, please go to <http://www.nctcog.org/ep/forms/HotStuff.asp> in order to fill out and submit a nomination form.

All meetings are at:
 NCTCOG
 616 Six Flags Drive
 Arlington, Texas 76011

State Homeland Security Grant Program (SHSP) and Law Enforcement Terrorism Prevention Program



Mobile Command Post—
City of Irving

FY06 State Homeland Security Program (SHSP) and Law Enforcement Terrorism Prevention Program (LETPP) call for projects started in the NCTCOG region in April 2006 with approximately 122 projects vying for a portion of the \$3 to 6 million expected for the region. The grant programs are intended to support activities involving terrorism preparedness and to build and enhance capabilities at the state and local level. Submitted projects were encouraged to take a regional approach to help strengthen preparedness to any unexpected incident; with funding helping to support the National Preparedness goal and the four mission areas of homeland security; to prevent, protect, respond and recover from an incident as it relates to terrorism.

Whereas SHSP projects are intended to help enhance capabilities of state and local governments, LETPP projects seek to provide law enforcement and public safety increased support by helping to gather intelligence through fusion centers, hardening high value targets, planning strategically, continuing building interoperable communications, and collaborating with non-law enforcement partners, other government agencies and the private sector.

The Regional Emergency Preparedness Advisory Committee (REPAC) scored the FY06 projects in a multi phased process starting in early May 2006. Final voting for all of the projects was held in early June 2006 with projects starting soon afterwards. Please contact Shad Lancaster for more information at 817-608-2323 or at slancaster@nctcog.org.

Citizens Corps Council (CCC)



Community Emergency
Response Team (CERT)

As part of the USA Freedom Corps initiative endorsed by President Bush in 2002, a number of community-based activities are being coordinated throughout the region. Citizens Corps Councils are designed to bring together first responders and a variety of volunteer & community based organizations to focus on community preparedness. There are currently 23 CERT Teams and Citizens Corps Councils. Approximately \$208,876 in local grants were provided from the State to support these efforts based on recommendation of the NCTCOG. NCTCOG has coordinated four CERT Train the Trainer courses in 2005, resulting in over 50 new CERT trainers.

Please contact Kathryn Cane at 817-695-9233 or at kcane@nctcog.org for more information.

Citizen Corp Meetings

*August 22, 2006
1:30pm-3:30pm

*December 7, 2006
9:00am-11:00am

*February 6, 2006
9:00am-11:00am

NCTCOG
616 Six Flags Drive
Arlington, Texas 76011

Urban Area Security Initiative (UASI)

To date, the Metropolitan Urban Area (MUA) has received in excess of \$70 million in UASI funds. The UASI Program provides financial assistance to address the unique planning, equipment, training, and exercise needs of high-threat, high-density urban areas, and to assist them in building and enhancing a sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism. The MUA includes the Core City and County of Dallas with the contiguous supporting counties of Collin, Denton, Kaufman, and Rockwall; Core City of Fort Worth and Core County of Tarrant with contiguous supporting Counties of Denton, Parker and Wise; Core City of Arlington and the Core County of Tarrant with contiguous supporting County of Johnson. The NCTCOG is providing assistance to the Core Cities and their contiguous partners with program management and strategy implementation on this project.

Contact Mistie Gardner for more information at 817-608-2311 or at mgardner@nctcog.org.

Regional Emergency Preparedness Advisory Committee (REPAC)- was created in November 2004 to act as a technical committee to the Emergency Preparedness Planning Council (EPPC). The EPPC serves in an advisory role to the NCTCOG Executive Board by providing policy direction and oversight regarding the region's coordination and management for emergency preparedness and response. REPAC is made up of 37 members from a range of disciplines including emergency management, fire, law enforcement, public health, independent school districts, private sector and transportation. The group's initial focus is to review and approve regional state homeland security grant projects and subsequently ensure the projects follow state and federal guidelines for project implementation. Other activities REPAC helps to coordinate include regional strategic planning regarding emergency preparedness and helping to develop and ensure regional preparedness for response to significant incidents.

Meeting Schedule:

NO MEETING July 4 th	NO MEETING July 4 th	NO MEETING July 4 th
Tuesday – July 11, 2006	1:00 – 3:00	3 rd Floor Transportation Board Room
Tuesday – July 25, 2006	9:30 – 11:30	3 rd Floor Transportation Board Room
Tuesday – August 8, 2006	1:00 – 3:00	3 rd Floor Transportation Board Room
Tuesday – August 22, 2006	9:30 – 11:30	3 rd Floor Transportation Board Room



Emergency Managers Roundtable (REM) - This is a forum held quarterly for local emergency managers to network, share common experiences, and receive updates from staff regarding projects for local emergency managers.

Meeting Schedule:

August 8, 2006	11:00 - 1:30	4th Floor Committee Room
November 7, 2006	11:00 - 1:30	4th Floor Committee Room

For the latest information on training, events and meetings, be sure to check the regional calendar at <http://www.nctcog.org/ep/calendar/index.asp>

Mutual Aid



In order to reach state strategic goals, implement regional response, and facilitate evacuation, a statewide and regional mutual aid system is imperative. The Emergency Management Association of Texas is working through discussion documents with all stakeholders to take before the Senate Committee on Transportation and Homeland Security this summer. To view the current discussion document, please go to www.emat-tx.org.

In the mean time, the state and region are promoting the three tiered system. Tier I will link the cities in a county to the county. Tier II links the counties within a COG region together. Tier III will link the COG in the state of Texas together. To view current templates of the Tier I and II documents, please go to http://www.nctcog.org/ep/legal-local_documents/Mutual_Aid_Templates/MutualAid.asp.

For more information, please contact Molly McFadden at 817-608-2322 or at mmcfadden@nctcog.org

Strategic National Stockpile (SNS)

On August 9, 2005 the State of Texas conducted a Strategic National Stockpile (SNS) disaster drill to test the dissemination of medication and vaccines to the general population in the event of a bioterrorism attack. This drill was the largest ever attempted in the country and included seven counties with a total of 7,000 victims! The Emergency Preparedness Department assisted the state by recruiting 3,000 patient volunteers. These volunteers helped to simulate Community Emergency Medication Clinics activations. The support from our region was outstanding and the exercise was a definite success. Based on recommendations made in the After Action Review of the exercise, the State of Texas is currently creating a State SNS Plan.

If you have any questions, please contact Mistie Gardner at 817-695-2311 or at mgardner@nctcog.org.



Cities Readiness Initiative (CRI)

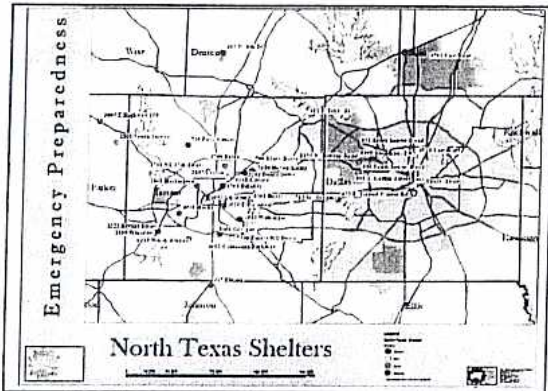
Since 1999, the Federal government has expended significant effort and resources to enhance the safety of Americans to biological events through the development of the Strategic National Stockpile (SNS). The initial efforts have been primarily at the state level. As a natural next step, the Center for Disease Control (CDC), the Texas Department of State Health Services (DSHS) and the North Central Texas Council of Governments (NCTCOG) are working with local jurisdictions to make full and effective use of the SNS in the event of a possible biological terrorist attack. This will be accomplished through the Cities Readiness Initiative (CRI). Special funding, training, and equipment will be provided to twelve counties in our region. They include: Collin, Dallas, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise. These jurisdictions have developed plans and infrastructure so they are prepared to provide medications within 48 hours of an event to their entire population. To date, the officials for all twelve counties have approved several designated sites within their perspective counties to serve as Community Emergency Medication Clinics (CEMC), and all twelve have a volunteer coordinator in place to organize volunteers who will staff these sites. Furthermore, these counties have the capability to open CEMC sites today if necessary.



If you have any questions, please contact Mistie Gardner at 817-695-2311 or at mgardner@nctcog.org.

Mapping

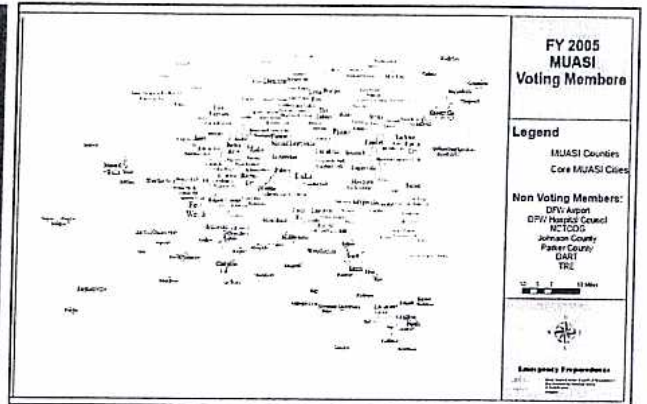
The Emergency Preparedness Department now has a full-time GIS Analyst to help you with your mapping needs. Over the past 6 months several mapping projects have been completed. An online interactive shelter map was created for use by FEMA and the area EOC's during the Hurricane Katrina and Hurricane Rita evacuations. Maps have also been created for the DFW Hospital Council and the Metropolitan Urban Area Security Initiative. Future mapping projects are on schedule to aid the Regional Emergency Preparedness Advisory Council (REPAC) in their funding decisions this summer. For more information or to request a map, contact Amanda Everly at 817-695-9214 or aeverly@nctcog.org.



Shelter map used in Hurricane Katrina evacuations

**Would you like
a copy of a
map?

Call
817-695-9214**



Map created for MUASI 2005 voting members.

Emergency Preparedness Website

Our web site has a new look! After many months of hard work we have created a site with a more professional appearance, easier navigation, and new features. The new website can be found at www.nctcog.org/ep. Make sure to check out the website for the most up to date information on meetings, programs, trainings, and other important information



Volunteer and Donations Management

The Volunteer and Donations Management Committee facilitates the communication and coordination among regional jurisdictions and agencies regarding the need for, and availability of, donations and volunteer services before, during, and after an incident or disaster. Through the Volunteer and Donations Management Committee the Regional Volunteer Organizations Active in Disasters (R-VOAD) was created and tasked with developing a regional plan for Volunteers and Donations Management. The R-VOAD Group incorporates volunteer and donation agencies that have primary responsibility for the management of volunteer services and donated goods. This regional plan will provide a great resource for volunteer and donation agencies to follow in the event of a regional incident or disaster.



For more information, please contact Kathryn Cane at 817-695-9233 or at kcane@nctcog.org.

Interoperability

Interoperable Communications is a joint effort of the North Central Texas Council of Governments' Departments of Community Services and Emergency Preparedness. With Homeland Security funds through the Department of Emergency Preparedness, Community Services has planned and coordinated the interoperability efforts over the last several years. What is Interoperable Communications? It is the ability of public safety agencies and first responders to voice-communicate on demand and in real time. The purpose of working with area public safety agencies is to enable and improve interoperability throughout the region through two major initiatives.

The Regional Interoperable Communications Initiative focuses on Regional Interoperability across the 16-county region. This initiative has been ongoing for three years and is in its final stage of implementation, the procurement and installation of interoperable equipment. The initiative's goal is to meet the Texas Division of Emergency Management's requirement of accomplishing Communications Level Four by the end of 2006. The Level Four standard allows communications via dispatcher, or unmanned or mobile gateways.

The Tactical Interoperable Communications Plan focuses on the ability of first responder personnel to communicate during a catastrophic event requiring a multiple agency response. Emphasis of this initiative is placed on communications procedures, preplanning, asset documentation and on-scene assignment, full-scale exercises, and multi-agency coordination.

For more information about Interoperable Communications, contact Fred Keithley, Director of Community Services and Public Safety Communications at 817-695-9171 or Jonathan "CJ" Holt, Public Safety Radio Communications Coordinator at 817-695-9142 or at jholt@nctcog.org. Information can also be found on the web at <http://www.nctcog.org/cs/radio/>.

National Incident Management System (NIMS)

The National Incident Management System (NIMS) was developed by the Secretary of Homeland Security at the request of the President after he issued Homeland Security Presidential Directive (HSPD) – 5 in February 2003. The system is intended to provide effective emergency preparedness practices into a comprehensive national framework for incident management. The NIMS will enable responders at all levels to work together more effectively to manage domestic incidents no matter what the cause, size or complexity. The benefits of implementing the NIMS system will be significant:

- Standardized organizational structures, processes and procedures;
- Standards for planning, training and exercising, and personnel qualification standards;
- Equipment acquisition and certification standards;
- Interoperable communications processes, procedures and systems;
- Information management systems; and
- Supporting technologies – voice and data communications systems, information systems, data display systems and specialized technologies

For jurisdictions to continue receiving FY06 Homeland Security Grant Program (HSGP) funding they must be FY06 compliant by September 30, 2006. Important items that must be completed for NIMS compliance are:

- Adopt NIMS at the local level through executive order
- Update basic Emergency Management Plans by addressing NIMS in Annexes B, I, M, N, V, D, F, H, and K by October 1, 2006.
- Completed NIMS training requirements relevant to their duty position. Courses that should be completed are IS 700, IS 800, ICS 100 and ICS 200.

For additional NIMS information please go the NCTCOG website at <http://www.nctcog.org/ep/nims/index.asp> or the FEMA website at <http://www.fema.gov/emergency/nims/index.shtm>.

For more information, please contact Shad Lancaster at 817-608-2323 or at slancaster@nctcog.org.

Regional Homeland Security Training

The EP department has assisted in a wide variety of exercises and training for first responders, public health and medical, public works, and elected officials. The following is a summary of training that will take place over the next year. For registration information, please see the following site: <http://www.nctcog.org/ep/training/>. For more information, please contact Skyla Biggers at 817-695-9216 or at sbiggers@nctcog.org.

****Debris Management Course**

This course is designed to provide local officials who may have to manage debris removal and disposal in the aftermath of a tornado, flood, or hurricane with the knowledge and skills to do so. The course covers staff development, pre-disaster planning, local response and recovery actions, contracting procedures, selecting and operating a temporary debris storage site, volume reduction methods, environmental regulations, and dealing with special debris situations.

***Weapons of Mass Destruction: Incident Management /Unified Command Course**

The course brings together those senior emergency response personnel from within a jurisdiction, and other local and/or state agencies, who would be required to prevent, manage, or react to a WMD or terrorist incident within their community and focuses on the special challenges faced by senior-level incident managers in dealing with a WMD or terrorist incident.

***Public Works: Planning for and Responding to Weapons of Mass Destruction and Terrorism Incidents Course**

This course provides a unique opportunity for public works employees to acquire the knowledge, skills and attitudes necessary to help them protect public safety and infrastructure from the threat of a WMD/terrorism incident.

***Senior Officials Workshop for Weapons of Mass Destruction and Terrorism Incident Preparedness Course**

The purpose of this course is to provide a forum to discuss the strategic and executive-level issues and challenges related to WMD/terrorism preparedness, share proven strategies and practices, and enhance teamwork and coordination amongst the city's senior officials responsible for emergency response to a WMD/terrorism incident.

***Operational Weapons of Mass Destruction Response for Law Enforcement Train-the-Trainer Course**

This 24-hour Train-the-Trainer course is designed to address specific fundamentals and skills associated with an emergency response to a WMD incident. As such, it provides detailed technical information and includes hands-on practice of actions required of emergency responders in WMD incident situations.

***Weapons of Mass Destruction Tactical Operations Course**

WMD Tactical Operations is designed to address technical functions associated with a tactical law enforcement response to a WMD incident. As such, it provides detailed technical information to include hands-on practice of actions required of tactical law enforcement officers in WMD situations.

***Advanced Course for Radiological Monitoring**

This performance-based (hands-on) course for local radiological response team members is designed to provide members with an understanding of their roles, responsibilities and functions and with a fundamental knowledge of radiation and radiation protection.

***Weapons of Mass Destruction Awareness Level Training**

The WMD Awareness-Level Training Course is a six-hour program that provides emergency responders with awareness-level instruction on recognition, avoidance, isolation, and notification techniques in a WMD environment. The course covers prevention and deterrence and chemical, biological, radiological, nuclear, and explosive (CBRNE) hazards.

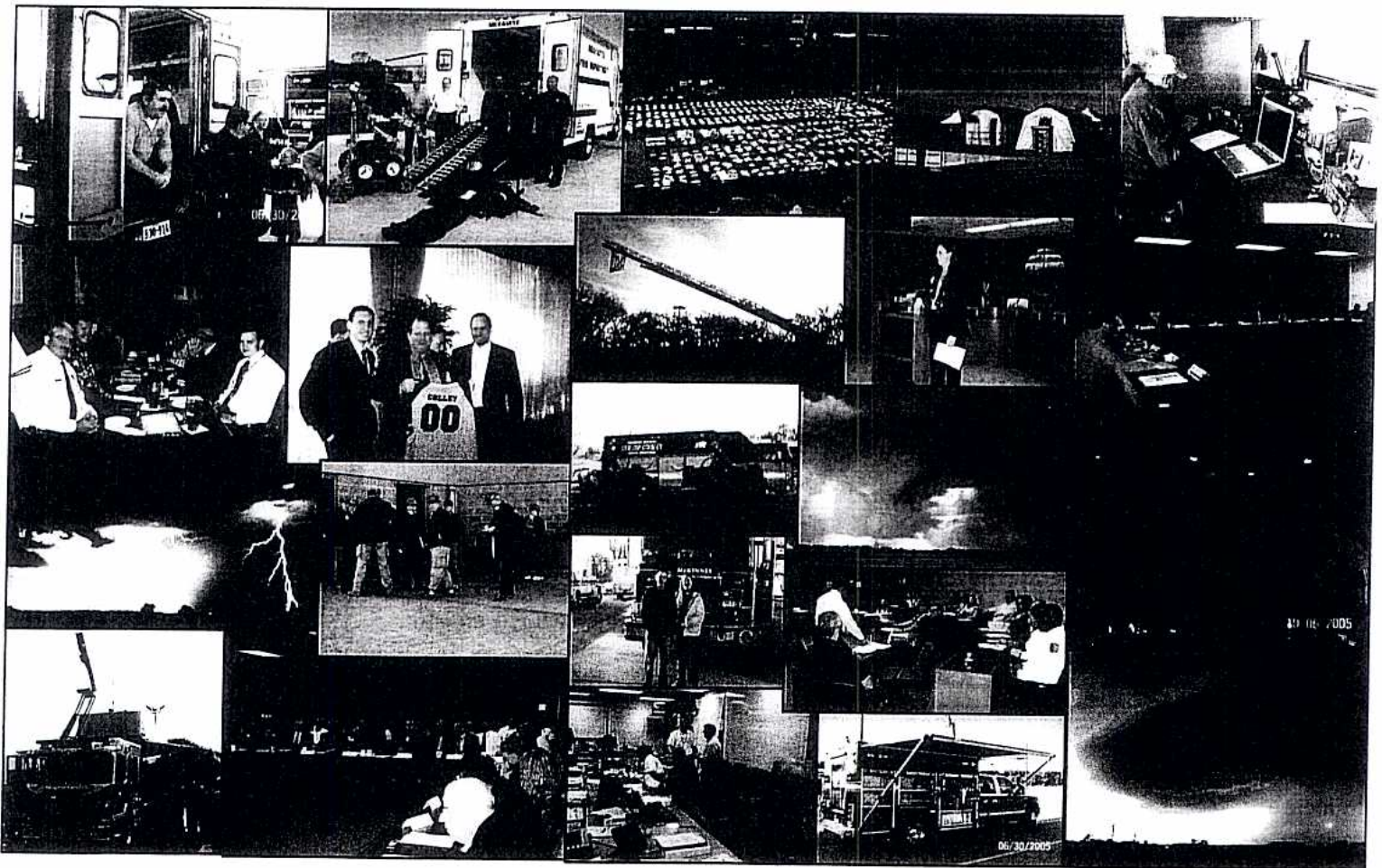
Planning

The EP Department assists local governments in achieving and sustaining compliance with State law regarding standardized Emergency Operations Plans through information sharing, technical assistance and liaisons with state and federal assistance agencies.

In January 2002 the EP Department began partnering with the Texas Governor's Division of Emergency Management (GDEM) to assist jurisdictions in creating, revising, and submitting jurisdictional Emergency Operations Plans to meet the Basic Level of Preparedness plus the Terrorism Annex as published by GDEM. A majority of the Emergency Operations Plans in our region are currently approved.

For more information, please contact Eric Gildersleeve at 817-608-2318 or at egildersleeve@nctcog.org

Emergency Preparedness Photo Gallery



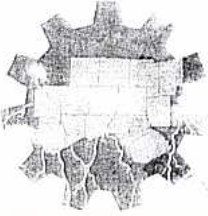
616 Six Flags Drive
Centerpoint Two, Suite 200
Arlington, Texas 76011

P.O. Box 5888
Arlington, Texas 76005

Phone: 817-608-2371
Fax: 817-608-2372
E-mail: www.nctcog.org/ep/

Regional Calendar

**[www.nctcog.org/
ep/calendar/
index.asp](http://www.nctcog.org/ep/calendar/index.asp)**



Upcoming Events

- IAEM 2006 Annual Conference & EMEX Exhibit, Nov. 12-15, 2006, Orland Florida
- Texas Homeland Security Conference
November 27, 2006– December 1, 2006
Location - TBA
- Texas Conference on Regionalism
October 4-6, 2006
Westin Galleria Hotel - Houston, Texas

Communication Tools

Website: www.nctcog.org/ep/ The North Central Texas Emergency Preparedness Website is a good tool for local governments to receive updated information regarding meetings, programs, grants, links, and other resources.

Regional Calendar: <http://www.nctcog.org/ep/calendar/index.asp> The Regional Calendar, featured on the department website, provides the most up to date details regarding events in the region. Local governments have an opportunity to advertise their events on the calendar. Trainings, exercises, meetings, and conferences in the region are all featured on the calendar.

LOCATE - Local Online Tools and Contacts for Emergency Preparedness: <http://locate.nctcog.org>

– LOCATE is a secure web based data management tool secured by 4 levels of access. The database current holds over 7,000 entries and various list serve groups. LOCATE is currently in the beta-testing phase and is scheduled for release in the Summer of 2006. Locals will be able to access and maintain their own information, as well as access the other data, as their access level allows.

Gregg Dawson
Emergency Preparedness Program's Director
817-608-2321
gdawson@nctcog.org

Molly McFadden
Emergency Preparedness Manager
817-608-2322
mmcfadden@nctcog.org

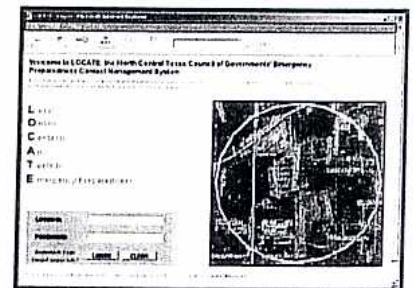
Kathryn Cane
Emergency Preparedness Specialist
817-695-9233
kcane@nctcog.org

Shad Lancaster
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slancaster@nctcog.org

Mistie Gardner
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Amanda Everly
GIS Analyst
817-695-9214
aeverly@nctcog.org

Renee Green
Administrative Assistant II
817-608-2371
rgreen@nctcog.org



Front page of LOCATE.



2006 TEX-21 OFFICERS

KENNETH A. MAYFIELD, CHAIR
Dallas County Commissioner

MARK SCOTT, SECRETARY
Corpus Christi Councilmember

BILL BLAYDES, TREASURER
Dallas Councilmember

ROBERT ECKELS, VICE CHAIR
Harris County Judge

JACK MILLER, VICE CHAIR
Former Denton Mayor

August 17, 2006

Mr. Ron Whitehead
City Manager
Town of Addison
P.O. Box 9010
5300 Beltline Road
Addison, Texas 75001-9010

RECEIVED
AUG 21 2006
CITY MANAGER

Re: Significant Membership Opportunity from Transportation Excellence for the 21st Century (TEX-21)

Dear Mr. Whitehead,

On behalf of TEX-21, one of Texas' most influential grass roots statewide transportation organizations, we would like to invite you to join us in our ongoing efforts to collectively develop innovative solutions to Texas' growing multimodal transportation needs. Understanding that multimodal transportation issues are extremely important to you, we would like to present you with a brief update on our organization's recent accomplishments and invite you, as a prospective TEX-21 member, to participate in our invaluable trips to Austin and Washington, D.C. and to contribute to our discussions on transportation issues that are most important to you.

Currently, we are developing our legislative agendas for the upcoming sessions of the 110th United States Congress and the 80th Texas Legislature. TEX-21 seeks to convey the shared and consensus developed legislative priorities of its member communities. Therefore, we are requesting that prospective members participate in this process and add their voices to those of our already more than 74 public and private sector members who collectively represent approximately 70 percent of the state's growing population.

Moreover, we would like to help you accomplish your federal and state legislative goals that are supported by TEX-21.

History of TEX-21

Roughly five years ago, a handful of elected and appointed officials from across Texas met informally to seek out ways to improve transportation not only for their own communities but for the entire state, as well. From this humble beginning, TEX-21 was created and has grown to now include numerous member cities, counties, transit, port and other transportation related authorities, international trade corridors, universities, and industry leaders.

We would be honored for you to become an official member of TEX-21. The rapid growth and development of TEX-21 is proof positive that the state's public and private entities are ready and willing to work together to advocate for equitable multimodal transportation legislation and policies that provide increased funding and safe, efficient, and effective transportation for the state. We believe that you could be a significant partner in our efforts to improve Texas' transportation infrastructure.

2006 VOTING MEMBERS:

ALICE * Reymundo S. Garcia
ALLEN * Peter Vargas
ALLIANCE FOR I-69 TEXAS * Rose Hernández
BEE COUNTY * Jimmy Martinez
BOWIE COUNTY * James Carlow
BRAZOS COUNTY * Randy Sims
BROWNSVILLE * Eddie Treviño, Jr.
BURLISON * Ken Shatter
CARROLLTON * Becky Miller
CEDAR HILL * Robert K. Franke
COLLEGE STATION * Ron Silvia
COLLIN COUNTY * Jack Hatchell
COPPELL * Jayne Peters
CORPUS CHRISTI * Mark Scott
DALLAS * Bill Blaydes
DALLAS COUNTY * Kenneth A. Mayfield
DALLAS AREA RAPID TRANSIT * Gary Thomas
DEL RIO * Representative Pending
DENTON * Pete Kamp
DESOTO * Michael Hurtt
DUNCANVILLE * Kent Cagle
EL PASO * John Cook
FARMERS BRANCH * Bob Phelps
FORT WORTH * Mike Moncrief
FRISCO * Mike Simpson
GRANBURY * David Southern
GRAND PRAIRIE * Jim Swafford
GRIMES COUNTY * Frank Glass
HARRIS COUNTY * Robert Eckels
HIDALGO COUNTY * Ramon Garcia
HILLSBORO * Will Lowrance
HOPKINS COUNTY * Clatis M. Millsap
HOUSTON * Michael Berry
IRVING * Rick Stopfer
KELLER * Lyle H. Drasher
KILLEEN * Connie Green
LANCASTER * Joe Tillotson
LAREDO * Representative Pending
LUBBOCK * Tom Martin
MCKINNEY * Thad Helsley
MELISSA * David Dorman
MESQUITE * Mike Anderson
MIDLAND * Rick Menchaca
MIDLOTHIAN * Boyce Whatley
MOTRAN ALLIANCE, INC. * James Beauchamp
NORTH RICHLAND HILLS * Oscar Trevino
NORTH TEXAS TOLLWAY AUTHORITY
*Representative Pending
PEARLAND * Bill Eisen
PHARR * Raul Gonzalez
PLANO * Scott Johnson
PORT OF BROWNSVILLE * Peter Zavaletta
PORT OF HOUSTON * Jim Edmonds
PORTS-TO-PLAINS TRADE CORRIDOR COALITION
* Michael Reeves
RICHARDSON * John A. Murphy
ROCKWALL * Julie Couch
ROWLETT * Shane Johnson
SAN ANTONIO * Phil Hardberger
SULPHUR SPRINGS * Marc Maxwell
TARRANT COUNTY * B. Glen Whitley
TEMPLE * David Blackburn
TEXARKANA * George T. Shackelford
TEXAS CITY * James F. McWhorter
WAXAHACHE * Jay Barksdale
WYLIE * Mark Roath
* CO-CHAIRS

2006 ASSOCIATE MEMBERS:

AAA TEXAS * ANNE O'RYAN
ECONOLITE * Doug Henderson
HARRISON, WALKER, & HARPER, L.P.
* Chip Harper
URS CORPORATION * Cinde Gilliland

2006 RESOURCE AGENCIES:

TEXAS TRANSPORTATION INSTITUTE
TEXAS SOUTHERN UNIVERSITY

DEAN INTERNATIONAL, INC.
PUBLIC POLICY CONSULTANTS
8080 PARK LANE, SUITE 600 • DALLAS, TEXAS 75231
Phone (214) 750-0123 • Fax (214) 750-0124
www.TEX21.net • TEX-21@dean.net

TEX-21 has made remarkable strides during its short existence, quickly becoming recognized as Texas' preeminent voice on statewide transportation policy issues. Perhaps, the best testament to our success is the consistent support we have received from the local, state, and federal levels of government and from the business community, as well. Our cooperative approach has consistently gained praise from key policymakers in each of these levels of government.

One Voice in Washington, D.C.

TEX-21 has successfully developed and maintained a TEX-21 Congressional Transportation Caucus that includes 100 percent of the 34-member Texas Congressional Delegation. This is a truly remarkable accomplishment, considering how few, if any, large state congressional caucuses have this same bi-partisan support of a state's entire delegation. Moreover, it is a testament to the Texas Congressional Delegation's commitment to improving the state's transportation system for *all* Texans. As a result, TEX-21 has been able to sustain a strong vocal presence in Washington, D.C.

To compliment the member Congressional Caucus, TEX-21 has created and maintained a Congressional Caucus Staff Working Group, which consists of transportation staffers from the offices of all 34 Congressional Caucus members. The group meets regularly in Washington, D.C. to discuss transportation issues that are important to their constituents throughout the State of Texas.

"TEX-21 offers a clear and consistent message on behalf of urban and rural cities and counties from all over Texas. We are therefore able to hear the collective transportation needs of millions of Texans in a single meeting when TEX-21 visits us here in Washington. Furthermore, the TEX-21 Staff Work Group is a real asset to Texas transportation."

*-U.S. Senator **John Cornyn**, TEX-21 Congressional Caucus Co-Chair*

"This is the first caucus I joined after being elected to represent Texas in Congress this past year. I was an active member of the TEX-21 Legislative Transportation Caucus as a state representative, and I plan to be even more active in Washington now that I am serving on the House Transportation and Infrastructure Committee."

*- U.S. Representative **Kenny Marchant**, TEX-21 Congressional Caucus Member*

One Voice in Austin

At the state level, we maintain the growing TEX-21 Legislative Transportation Caucus that has been invaluable to our coalition's legislative successes during the 2003 and 2005 sessions of the Texas Legislature. The Caucus, which currently includes 101 Texas legislators, has helped facilitate the passage of 23 of our 30 major policy initiatives over the past two regular sessions of the Texas Legislature.

Successful TEX-21 legislative initiatives include:

- Assisted in the public awareness campaign advocating for the passage of State Proposition 1, creating the Texas Rail Relocation and Improvement Fund;
- Developed legislation that created and established funding for the Texas Mobility Fund;
- Increased capabilities for Regional Mobility Authorities (RMAs);
- Assisted in the development of TxDOT's access management policies; and
- Influenced various other issues impacting transportation safety.

"An effective and efficient transportation infrastructure fuels the economy, creates employment opportunities, improves safety, and connects us socially. These are all goals that we will continue pursuing for Texas through the TEX-21 Legislative Transportation Caucus."

*- Texas Senator **Florence Shapiro**, TEX-21 Legislative Caucus Co-Chair*

One Voice for Your Community

This past year, TEX-21 leadership developed a new, more effective committee structure to include federal, state, and regional and local committees. Our goal is to remain a formidable organization at the federal and state levels while staying closely in touch with the needs of our members' own communities. Policymakers are already actively discussing legislative agendas addressing the many initiatives that our Regional & Local Committee are developing, and we anticipate positive change at the state and federal levels as a result of our efforts.

Furthermore, through our highly attended TEX-21 statewide quarterly meetings you have the opportunity to interact with other local, regional, and state leaders from around Texas who often share the same concerns and needs your community may have. These gatherings include presentations and panel discussions by highly respected transportation leaders and by policymakers addressing the transportation issues that matter most to you. This year's quarterly meetings have been very productive and successful, and the scheduling for next year's meetings is already well underway. The TEX-21 year culminates with its Annual Meeting that takes place each year during the Annual Transportation Summit, now in its 9th year, that is held in Irving, Texas. This unique national transportation public policy summit is attended by local, regional, state, and federal policy makers from cities, counties, state, and federal transportation agencies, national transportation organizations from across the United States, and from numerous foreign countries. TEX-21 takes its roots from this summit and has continued to play a significant role in the Summit program each year with members from all across the State of Texas in attendance, as well as members from the TEX-21 Congressional Caucus and Texas Legislative Transportation Caucus.

"We truly enjoy the opportunity to meet with our colleagues from all around the State to discuss solutions for the transportation issues we are facing. I am looking forward to continued involvement in these meetings as we examine how we can work with one another to create solutions."

- Judge **Jimmy Martinez**, Bee County, TEX-21 Member

One Voice for Texas

TEX-21 is working to shape the future of transportation in the State of Texas, and your membership is important to our continued success. We strongly encourage you to consider active involvement in TEX-21 and join us in working together to bring Texas a transportation system that will be safe, efficient, and effective for many generations to come.

"I take my responsibility as Chair of the Transportation and Homeland Security Committee in the Texas Senate very seriously. We have a huge amount of work to do and I want TEX-21 to be my partner in accomplishing our collective agenda."

- Texas State Senator **John Carona**, TEX-21 Legislative Caucus Co-Chair and Chairman of the Senate Transportation and Homeland Security Committee

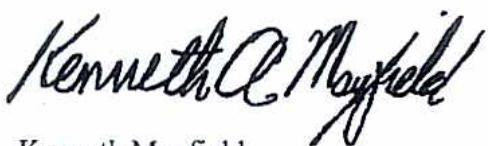
Texas Senator John Carona spoke at the TEX-21 Statewide Quarterly Meeting, March 31, 2006 in Killeen, Texas, shortly after being named Chairman of the important Senate Transportation & Homeland Security Committee. He stated that this is just the beginning of a very long mutually beneficial relationship between the organization and himself as the Chair of this very important Committee. During the meeting, which was attended by TxDOT representatives from the Waco District and TxDOT headquarters office in Austin, Senator Carona indicated that he looks forward to continuing a long and very productive working relationship with TxDOT and with TxDOT Executive Director Michael Behrens and his management team.

TEX-21 Membership

The Bylaws of TEX-21 provide that the membership dues for cities and counties be based upon population. Dues for other entities are based according to gross revenue. Please reference the dues structure enclosed with this letter. We strongly encourage you to consider this opportunity.

We would like to thank you for considering partnership in TEX-21. The investment in time and financial resources each member has brought to our organization has resulted in exponential success. We anticipate major strides being made in Texas transportation, and we invite you to join our effort to help determine the vision for the future of transportation in the State of Texas. Please feel free to contact our public policy consultants, Dean International, Inc., at 214.750.0123, or you may contact any of us directly with any questions you may have. We thank you very much for your time and consideration and look forward to speaking with you in the near future.

With Highest Regards,



Kenneth Mayfield
TEX-21 Chairman
Dallas County Commissioner



Mark Scott
TEX-21 Secretary
Corpus Christi Councilmember



Bill Blaydes
TEX-21 Treasurer
Dallas Councilmember



Robert Eckels
TEX-21 Vice Chair
Harris County Judge



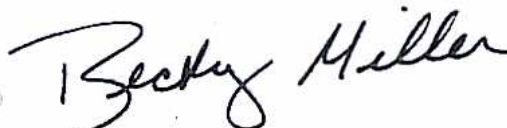
Jack Miller
TEX-21 Vice Chair
Former Denton Mayor



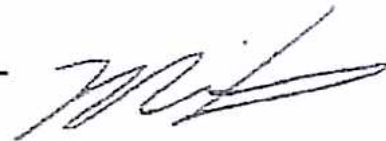
Eddie Trevino
Brownsville Mayor



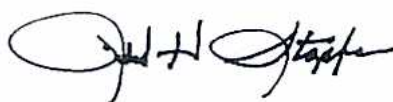
Ken Shetter
Burlson Mayor



Becky Miller
Carrollton Mayor



Michael Berry
Houston Councilmember



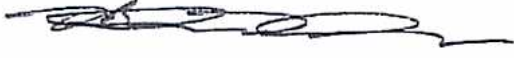
Rick Stopfer
Irving Councilmember



Tom Martin
Lubbock Mayor Pro-Tem



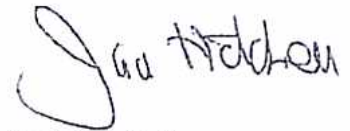
Rick Menchaca
Midland City Manager



David Blackburn
Temple City Manager



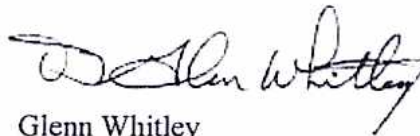
George Shackelford
Texarkana City Manager



Jack Hatchell
Collin County Commissioner



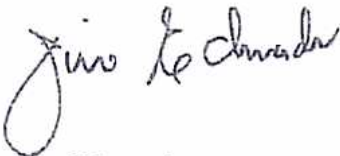
Cletis Millsap
Hopkins County Judge



Glenn Whitley
Tarrant County Commissioner



Michael Reeves
President, Ports-to-Plains



Jim Edmonds
Chairman, Port of Houston



Pete Kamp
Denton Councilmember



Jayne Peters
Coppell Councilmember

Schedule of Membership Dues:

A. The membership dues for a municipality or county shall be based on population according to the schedule below.

<u>Population</u>	<u>Dues</u>
> 500,000	\$25,000
200,000 – 499,999	\$20,000
100,000 – 199,999	\$15,000
50,000 – 99,999	\$10,000
25,000 – 49,999	\$ 5,000
< 24,999	\$ 2,500

B. The membership dues for other entities shall be based on gross revenue according to the schedule below.

<u>Gross Revenue</u>	<u>Dues</u>
> \$50 M	\$25,000
\$25 - <\$50 M	\$20,000
\$10 - <\$25 M	\$15,000
\$ 5 - <\$10 M	\$10,000
\$0.5 - <\$ 5 M	\$ 5,000
< \$0.5 M	\$ 2,500

For Colleges and Universities of higher education full cash payment of membership dues may be provided by in-kind services (research, writing, etc.) equal in value of up to 100% of the normal, annual membership dues outlined above. All in-kind services proposals must be reviewed, and approved by the corporation's consultants before in-kind services will be accepted as partial payment of dues.

C. The membership dues for Associate Members shall be determined according to the schedule below:

<u>Associate Members</u>	<u>Dues</u>
For-profit Corporation	\$ 5,000
Not-for-profit Corporation	\$ 2,500

SENATOR JOHN CARONA
CHAIRMAN

SENATOR GONZALO BARRIENTOS
VICE-CHAIRMAN

SENATE COMMITTEE ON
TRANSPORTATION AND HOMELAND SECURITY

MEMBERS:
SENATOR KEN ARMBRISTER
SENATOR KIM BRIMER
SENATOR RODNEY ELLIS
SENATOR FLORENCE SHAPIRO
SENATOR ELIOT SHAPLEIGH
SENATOR JEFF WENTWORTH
SENATOR TOMMY WILLIAMS

August 1, 2006

The Honorable Kenneth A. Mayfield
County Commissioner, District 4
TEX-21 Chair
4403 West Illinois Avenue
Dallas, Texas 75211

Dear Commissioner Mayfield:

As Chairman of the Texas Senate Committee on Transportation and Homeland Security, I am committed to enhancing mobility and mitigating congestion throughout the State of Texas. Among my priorities is to promote the collaboration of local and regional governments with state and federal lawmakers and executive branch officials to ensure the creation and implementation of the most effective intermodal transportation plan possible for our great state. We must communicate better between the different levels of government, as well as be certain to bring the private sector to the table, in order to secure a shared vision upon which we can develop transportation public policy. The great growth that is fueled by our location, global trading patterns, and good business practices will cease to enable our efforts if we do not include all of the appropriate players in our discussions. Will you and your colleagues at TEX-21 assist us as we move forward and develop this agenda?

As we in the Legislature confront many critical issues involving multimodal transportation needs, I, along with my colleagues on the Senate Transportation Committee and members of TEX-21, would like TEX-21 to play a vital role in addressing these pressing issues. We need TEX-21's expertise and input in creating positive solutions for the state legislature's consideration. Being a statewide coalition of cities, counties, and multimodal entities, TEX-21 is in the prime position to assist us in addressing the multimodal transportation issues faced by the State of Texas. As the population continues to grow at unprecedented rates and is expected to reach 51.7 million by 2040, we need TEX-21's wide breadth of knowledge and experience in order to develop a transportation system that will accommodate the needs of our rapidly increasing citizenry. TEX-21 can also assist in the process of creating funding strategies that will ensure that the necessary resources are in place to fund the multimodal systems when we need them.

I challenge TEX-21 to use the resources available through its dynamic membership to work with me and my colleagues in the Texas Senate and with the TEX-21 Legislative Transportation Caucus to create a shared vision for the future of Texas transportation. We request that TEX-21 works to create

a transportation model that will address current challenges including air quality, aging infrastructure, congested airports, seaports, freight rail, passenger rail, transit, and highways. We request that TEX-21 also assists in determining the most appropriate financing structures to raise the necessary revenue required to achieve transportation expansion and to enable the execution of the proposed model.

Our traditional institutional partnerships at the federal, state, regional, and local levels of government are essential to our future success, and we must at the same time always be open to creative financing opportunities from the private sector which are consistent with these traditional roles.

I envision TEX-21 working with the State Legislature's Transportation Committees, the TEX-21 Legislative Transportation and Congressional Caucuses, the Texas Transportation Commission, and the Texas Department of Transportation to facilitate a dialogue and discussion that will lead to the design of the most effective transportation system possible for the citizens of the State of Texas. I thank both you and TEX-21's entire statewide membership for its collective efforts in striving to raise the awareness of critical transportation issues and to improve transportation for all Texans. I look forward to maintaining a close working relationship with you in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "John J. Carona".

John J. Carona
State Senator, District 16
Texas State Senate

Council Agenda Item: #R10

There are no attachments for this item.

Theatre Consultants Collaborative, LLC

13 July 2006

PRINCIPAL OFFICE
 6600 Manor Hill Court
 Chapel Hill, NC 27516
 T 919.929.7443
 F 919.929.4519

Ron Whitehead, City Manager
 Town of Addison
 Town Hall
 5300 Belt Line Road
 Dallas, TX 75001-9010

Re: Addison Conference and Theatre Center Addition, Addison, TX

Dear Mr. Whitehead:

Thank you for the opportunity to submit this proposal for theatre consulting services to assist with programming, conceptual design and site selection for a new 400- to 500-seat theatre as an addition to the Addison Conference and Theatre Center. *(Either at the site of the existing Addison Conference Center or at another Addison location.)*
 Below you will find an initial scope of services and a fee proposal based on our understanding of the project. It is anticipated that our work will help clarify the design direction, which will assist you and your colleagues in determining appropriate strategies for achieving this new facility.

Scope of Basic Services

	<i>Time Estimate</i>
1. Programming Workshop #1 – information gathering session; establish site selection criteria <i>(two TCC team members)</i>	4 days
2. Prepare preliminary space program – this program of accommodation will describe each room's function, its associated spatial and adjacency criteria, and floor area requirements, based on discussions with client and user group representatives.	1 day
3. Prepare preliminary performance equipment outline and budget.	1 day
4. Prepare site selection criteria matrix.	½ day
5. Design options – prepare rough sketches, in plan and section, of the performance space, which will aid in determining its form (relationship between platform/stage and audience), size and configuration. This will aid the development of a footprint for new facilities, and provide a visual guide to their components and functional adjacencies.	1 ½ days
6. Prepare site analysis drawings <i>of a proposed new venue</i>	1 ½ days

NEW YORK
 NORTH CAROLINA
 TORONTO

13 July 2006
Page 2 of 2

(Conference Center, Service Merchandise Building or other choices)

- 7. Examine existing building for possible re-use as an arts venue. Prepare concept design sketches to indicate potential use of the building as an arts venue. 2 days
- 8. Workshop #2 – present and discuss draft space program, design options and site analyses. (two TCC team members) 4 days
- 9. Prepare final report. 2 days

Proposed Fee

The basic services described above represent approximately 17.5 work days at a per diem rate of \$1,200, and includes travel time. We therefore propose a fee of Twenty One Thousand Dollars (\$21,000).

Expenses

Normal reimbursable expenses would be charged in addition to this fee, at cost plus 5% for administration. Reimbursable expenses include, but are not limited to, air and ground transportation, hotel and meals associated with travel, printing, couriers and long distance telephone.

Additional Services

Services authorized beyond the scope of work outlined above shall be considered additional services and are offered at a per diem rate of \$1200, exclusive of expenses. Additional services may include:

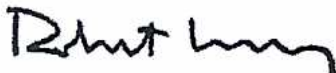
- a. Cultural Facilities Master Plan 4 days
- b. Workshop #3 2 days

Terms of Proposal

This proposal is valid for a period of sixty days, commencing 13 July 2006.

Once again, we thank you for the opportunity to submit this proposal. If it is deemed acceptable, we would be pleased to work with you in developing an agreement for services. We are very keen to work on this unique performance venue and look forward to answering any questions you may have.

With best regards,



Robert Long, ASTC
Theatre Consultants Collaborative, LLC

cc J. Brown, TCC

Council Agenda Item: #R12

There are no attachments for this item.

Council Agenda Item: #ES1

There are no attachments for this item.