

**OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
WORK SESSION**

June 26, 2007
6:00 p.m. – Town Hall
5300 Belt Line Road
Upstairs Conference Room

Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Meier, Mellow and Niemann

Absent: None

Work Session

Item #WS1 - Presentation and discussion regarding housing information.

Carmen Moran presented the housing information.

Item #WS2 - Presentation and discussion of a new Hangar Development at Addison Airport.

Bill Dyer with Addison Airport led the discussion regarding new Hangar Development at Addison Airport.

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

Mayor

Attest:

City Secretary

**OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
REGULAR SESSION**

June 26, 2007
7:30 p.m. – Town Hall
5300 Belt Line Road
Council Chambers

Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Meier, Mellow and Niemann

Absent: None

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Mushtaq Ali with the Finance Department and Eugene Carrera with the Public Works Department.

Mayor Chow recognized City Manager, Ron Whitehead for twenty-five years of service to Addison.

Item #R2 - Consent Agenda.

Items #2a and #2b were considered separately.

#2a - Approval of the Minutes for the 6/4/2007, 6/6/2007, 6/7/2007, 6/11/2007, 6/14/2007 Council Meeting and Council Meeting and Special Work Session Minutes for June 12, 2007. (Approved with noted corrections.)

Councilmember Kraft moved to duly approve the Minutes for the 6/4/2007, 6/6/2007, 6/7/2007, 6/11/2007, and 6/14/2007, and Council Meeting and Special Work Session Minutes for June 12, 2007, with the noted corrections.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Meier, Mellow, Niemann

Voting Nay: None

Absent: None

#2b - Consideration of approval of an agreement with PPI Marketing to provide sponsorship services to the Town from June 1, 2007 through May 31, 2010, and authorizing the City Manager to execute the same.

After clarification of the time frame, Councilmember Kraft moved to duly approve an agreement with PPI Marketing to provide sponsorship services to the Town from June 1, 2007 through May 31, 2010, and authorizing the City Manager to execute the same.

Councilmember Niemann seconded. Motion carried.

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

Item #R3 - Presentation and recognition of Lisa Pyles, Addison Airport Director.

Lisa Pyles, Addison Airport Director, was recognized and honored by Mayor Chow and the Council.

Item #R4- Presentation of WaterTower Proclamation.

Mayor Chow presented the WaterTower Proclamation to Judy Schecter, WaterTower Development Director.

Item #R5 - Consideration and approval to authorize the City Manager to enter into an agreement with Oklahoma Public Safety in the amount of \$30,807 to fund the Police Department's Patrol Rifle Program.

Councilmember Meier moved to duly approve to authorize the City Manager to enter into an agreement with Oklahoma Public Safety in the amount of \$30,807 to fund the Police Department's Patrol Rifle Program.

Councilmember Niemann seconded. Motion carried.

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

Item #R6 - Consideration of approval of an amendment to an existing planned development zoning district in order to add an allowed use, that use being: light assembly to include scientific production of security taggants and specialty ink systems through the use of materials engineering processes and other laboratory techniques. Allowed uses would also include nanotechnology, which is the control of matter on the scale of smaller than one micrometer. When these uses involve the production of powders, these powders will be restricted to production of powders whose average size is greater than 100 nanometers.

Mayor Chow continued the public hearing from 6/12/07. There were no questions or comments. Mayor Chow closed the meeting as a public hearing.

Councilmember Braun moved to duly approve an amendment to an existing planned development zoning district in order to add an allowed use, that use being: light assembly to include scientific production of security taggants and specialty ink systems through the use of materials engineering processes and other laboratory techniques. Allowed uses would also include nanotechnology, which is the control of matter on the scale of smaller than one micrometer. When these uses involve the production of powders, these powders will be restricted to production of powders whose average size is greater than 100 nanometers.

Councilmember Kraft seconded. Motion carried.

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

Item #R7 - Discussion and consideration of approval of an economic development incentive agreement between the Town of Addison and Authentix, Inc. relating to and regarding the relocation of Authentix, Inc. to 4355-4555 Excel Parkway within the Town.

Councilmember Niemann moved to duly allow the City Manager, with approval of the City Attorney, to negotiate an incentive agreement with Authentix regarding the expansion at 4355-4555 Excel Parkway, contingent on receiving state funds through the Texas Enterprise Fund. In addition, that the Town's incentive does not exceed an amount equal to 10% of the Texas Enterprise Fund grant award.

Councilmember Meier seconded. Motion carried.

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

Item #R8 - Update Council on visit of the Banciao delegation and discussion of our Sister City.

Ron Whitehead led the discussion on the visit of the Banciao delegation to Addison.

Item #R9 - Discussion and consideration of approval of a new Hangar Development at Addison Airport.

Mark Acevedo led the discussion regarding new Hangar Development at Addison Airport.

Councilmember Niemann moved to duly approve in concept only the hangar development as described (subject to and conditioned upon the City Council's review and approval of any agreement(s) regarding the hangar development and all terms and

conditions in connection therewith) and to authorize the City Manager and City Attorney to negotiate the terms and conditions of any agreement(s) regarding the hangar development.

Councilmember Mellow seconded. Motion carried.

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

Item #R10 - Consideration and approval of award of bid to Jani-King International, Inc., for custodial services at the Service Center, Police & Police Sub-stations, Central Fire, Conference and Theatre Centre and Athletic Club facilities.

Councilmember Braun moved to duly approve award of the bid to Jani-King International, Inc., for custodial services at the Service Center, Police & Police Sub-stations, Central Fire, Conference and Theatre Centre and Athletic Club facilities.

Councilmember Mellow seconded. Motion carried.

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

Item #R11 - Consideration and approval of an Estoppel Agreement by the Town of Addison to and in favor of Macquarie Infrastructure Company, Inc., and Macquarie FBO Holdings, LLC on Addison Airport.

Councilmember Kraft moved to duly approve an Estoppel Agreement by the Town of Addison to and in favor of Macquarie Infrastructure Company, Inc., and Macquarie FBO Holdings, LLC on Addison Airport.

Councilmember Niemann seconded. Motion carried.

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

Item #R12 - Consideration and consent to various items related to Ground Lease #016-1501 at Addison Airport to include: 1) Amending Ground Lease #016A-1501 so that the demised premises includes all the premises originally included in Ground Lease #016A-1601 and #016A-1501 into one leasehold, and to modify the rental required under the amended lease to correspond with and reflect the change to the demised premises; 2) Agree to early terminate Ground Lease #016A-1601; and 3) Consent to the

assignment of Ground Lease #016A-1501 from the Estate of Hazel M. Corry to Corry GP, LLC, a Texas limited liability company.

Councilmember Mellow moved to duly approve Item 1) Amending Ground Lease #016A-1501 so that the demised premises includes all the premises originally included in Ground Lease #016A-1601 and #016A-1501 into one leasehold, and to modify the rental required under the amended lease to correspond with and reflect the change to the demised premises; and Item 2) Agree to early terminate Ground Lease #016A-1601.

Councilmember Braun seconded. Motion carried.

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

Councilmember Niemann moved to duly approve Item 3) Consent to the assignment of Ground Lease #016A-1501 from the Estate of Hazel M. Corry to Corry GP, LLC, a Texas limited liability company.

Councilmember Braun seconded. Motion carried.

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

Item #R13 - Presentation and discussion of Airport fund long-term plan.

Randy Moravec presented the Airport fund long-term plan.

Item #R14 - Presentation and discussion of Utility fund long-term plan and discussion of Addison's water and sewer rates.

Randy Moravec presented the Utility fund long-term plan and discussion of Addison's water and sewer rates.

At 10:56 P.M., Mayor Chow announced that 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 conduct a private consultation with its attorney(s) to seek the advice of its attorney(s) 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/or a settlement offer in connection therewith.

Item #ES2 - Closed (executive) session of the City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) to seek the advice of its attorney(s) about pending litigation, to wit: Eddins Enterprises, Inc., dba Friendly Aviation and RSP Management Services, Inc. v. The Town of Addison, Texas, Cause No. 05-11030-K, 192nd Judicial District Court, Dallas County, Texas.

The Council came out of Executive Session at 11:42 P.M.

Item #R15 - Consideration of action in connection with 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/or a settlement offer in connection therewith.

Councilman Niemann moved to duly approve a move allowing the City Manager to enter into a settlement agreement in connection with 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.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Meier, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R16 - Discussion and consideration of any action in connection with or related to pending litigation, to wit: Eddins Enterprises, Inc., dba Friendly Aviation and RSP Management Services, Inc. v. The Town of Addison, Texas, Cause No. 05-11030-K, 192nd Judicial District Court, Dallas County, Texas.

Councilman Niemann moved to duly approve the City Manager to pursue mediation in connection with or related to pending litigation, to wit: Eddins Enterprises, Inc., dba Friendly Aviation and RSP Management Services, Inc. v. The Town of Addison, Texas, Cause No. 05-11030-K, 192nd Judicial District Court, Dallas County, Texas.

Councilmember Meier seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Meier, Mellow, Niemann

Voting Nay: None

Absent: None

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

Mayor

Attest:

City Secretary