

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

October 28, 2008
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: Seth Day with the Fire Department, Lynn Chandler with the Development Services Department and Allen Schieck with the Police Department.

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for:

October 13, 2008, Special Meeting and Work Session
October 14, 2008, Regular City Council Meeting

The Minutes for October 13, 2008, Special Meeting and Work Session were approved as written.

The Minutes for October 14, 2008, Regular City Council Meeting, were approved with the following correction for Item #2a: Change the wording “Dennis Braun” to “Tom Braun.”

Councilmember Niemann moved to duly approve Item #2a with the foregoing change.

Councilmember Mellow seconded. Motion carried.

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

Item #R3 - Presentation by Texas Department of Transportation (TxDOT) of the new LBJ Managed Lanes Project by Bob Brown, P.E., Assistant District Engineer, TxDOT,

John Hudspeth, P.E., IH 635 Project Manager, TxDOT and Jack Antebi, P.E., Mobility Coordinator, Texas Transportation Institute.

Bob Brown and John Hudspeth with the Texas Department of Transportation led the presentation by Texas Department of Transportation (TxDOT) of the new LBJ Managed Lanes Project.

There was no action taken.

Item #R4 - Discussion and update regarding the establishment of an Addison Community Foundation.

Mario Canizares led the discussion and update regarding the establishment of an Addison Community Foundation.

No action was taken.

Item #R5 - Discussion and consideration of approval of an agreement with Rodney Hand & Associates Marketing Communications, LP, to advertise in the November 2008, February 2009, May 2009 and August 2009 editions of the Addison/North Dallas Corridor Guide publication.

Councilmember Mellow moved to approve an agreement with Rodney Hand & Associates Marketing Communications, LP, to advertise in the November 2008, February 2009, May 2009 and August 2009 editions of the Addison/North Dallas Corridor Guide publication, subject to the City Attorney's approval.

Councilmember Hirsch seconded. Motion carried.

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

Item #R6 - Discussion and consideration of approval of a contract with Harris Computer Systems, for the purchase and installation of a Code Enforcement, Permits & Inspections, and Business License System, in the amount of \$138,748.00, subject to the City Attorney's final approval.

Councilmember Kraft moved to duly approve a contract with Harris Computer Systems, for the purchase and installation of a Code Enforcement, Permits & Inspections, and Business License System, in the amount of \$138,748.00, subject to the City Attorney's final approval.

Councilmember Mellow seconded. Motion carried.

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

Voting Nay: None
Absent: None

Councilmember Niemann recused himself for Item #R7 and left Council Chambers.

Item #R7- Discussion and consideration of approval of a request by SNK Realty Group for an ordinance for a meritorious exception to Chapter 62, Signs, Sec. 62-285, Luminescent gaseous tubing.

Councilmember Meier moved to table the discussion and consideration of approval of a request by SNK Realty Group for an ordinance for a meritorious exception to Chapter 62, Signs, Sec. 62-285, Luminescent gaseous tubing and bring this Item back to a later Council Meeting as a Public Hearing.

Councilmember Braun seconded. Motion carried.

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

Item failed due to a tie vote.

Councilmember Mellow moved to approve a request by SNK Realty Group for an ordinance for a meritorious exception to Chapter 62, Signs, Sec. 62-285, Luminescent gaseous tubing, subject to approval of Staff in regard to muting and coloration.

Councilmember Kraft seconded. Motion carried.

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

Item failed due to a tie vote.

Councilmember Braun moved to table the discussion and consideration of approval of a request by SNK Realty Group for an ordinance for a meritorious exception to Chapter 62, Signs, Sec. 62-285, Luminescent gaseous tubing and bring this item back to the next Council Meeting for further review, without a Public Hearing, and the applicant does not need to reapply.

Councilmember Kraft seconded. Motion carried.

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

Absent: None
Abstained: Niemann

Final motion carried.

Councilmember Niemann returned to Council Chambers.

Councilmember Kraft left Council Chambers.

Item #R8 - Discussion and consideration of approval of the annual contract for FY 2008 with the Trinity River Authority, in an amount not to exceed \$3,500 nor be less than \$1,500, per annum, to provide inspection, sampling and laboratory analysis on certain industries in Addison to comply with wastewater pretreatment laws as required by the EPA.

Councilmember Braun moved to duly approve the annual contract for FY 2008 with the Trinity River Authority, in an amount not to exceed \$3,500 nor be less than \$1,500, per annum, to provide inspection, sampling and laboratory analysis on certain industries in Addison to comply with wastewater pretreatment laws as required by the EPA.

Councilmember Niemann seconded. Motion carried.

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

Item #R9 - Discussion and consideration of approval of the annual contract, in the amount of \$5,751 with Dallas County Health and Human Services (DCHHS) for the Town of Addison to participate in the cost of providing selected public health services at reduced prices to Addison residents.

Councilmember Niemann moved to duly approve the annual contract, in the amount of \$5,751 with Dallas County Health and Human Services (DCHHS) for the Town of Addison to participate in the cost of providing selected public health services at reduced prices to Addison residents.

Councilmember Mellow seconded. Motion carried.

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

Councilmember Kraft returned to Council Chambers.

Item #R10 - Discussion and consideration of approval of the First Amendment to Rooftop Telecommunications License Agreement between GPI Spectrum, LLC and the

Town of Addison providing for a five year extension of a license agreement for rooftop space at Spectrum Center located at 5080 Spectrum Drive for installation and operation of infrastructure equipment to support the public safety radio simulcast system, with an annual license fee of \$17,389.20.

Councilmember Kraft moved to approve the First Amendment to Rooftop Telecommunications License Agreement between GPI Spectrum, LLC and the Town of Addison providing for a five year extension of a license agreement for rooftop space at Spectrum Center located at 5080 Spectrum Drive for installation and operation of infrastructure equipment to support the public safety radio simulcast system, with an annual license fee of \$17,389.20.

Councilmember Niemann seconded. Motion carried.

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

Item # R11 - Discussion and consideration of approval of a professional service agreement between the Town of Addison and Halff Associates, Inc., in an amount not to exceed \$87,000.00, for preparation of Phase I of a Stormwater Masterplan for the Town of Addison.

Councilmember Niemann moved to duly approve a professional service agreement between the Town of Addison and Halff Associates, Inc., in an amount not to exceed \$87,000.00, for preparation of Phase I of a Stormwater Masterplan for the Town of Addison, subject to the City Manager's approval.

Councilmember Mellow seconded. Motion carried.

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

Item #R12 - Discussion and consideration of approval to enter into an agreement with Kleinfelder in the amount of \$755,000.00 for Construction Inspection and Materials Testing service for the Vitruvian Park Infrastructure in accordance with the Master Facilities Agreement for Vitruvian Park.

Councilmember Braun moved to duly approve an agreement with Kleinfelder in the amount of \$755,000.00 for Construction Inspection and Materials Testing service for the Vitruvian Park Infrastructure in accordance with the Master Facilities Agreement for Vitruvian Park, subject to the City Attorney's approval.

Councilmember Kraft seconded. Motion carried.

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

Item #R13 - Discussion and consideration of approval of (i) a Contract for Services with each of the following non-profit entities: Communities in Schools–Dallas, Senior Adult Services, Metrocrest Social Services, Metrocrest Family Medical Clinic, Metrocrest Chamber of Commerce, The Family Place, Special Care and Career Services, The Dance Council, Richardson Symphony Orchestra, and WaterTower Theatre, Inc., and (ii) an Agreement for Use of the Addison Theatre Centre with WaterTower Theatre, Inc.

This Item was tabled until a future City Council Meeting.

Item #R14 - Discussion and consideration of approval of a resolution of the Town of Addison, Texas, authorizing the Cities Aggregation Power Project, Inc. (CAPP), to negotiate an electric supply agreement for deliveries of electricity and necessary, related services effective January 1, 2009; approving CAPP contracting with FPL Energy and Direct Energy for the supply of electric power and related, necessary services for the City for a term to begin January 1, 2009 and extending up to December 31, 2013, and providing for other matters related thereto.

Councilmember Niemann moved to duly approve a resolution of the Town of Addison, Texas, authorizing the Cities Aggregation Power Project, Inc. (CAPP), to negotiate an electric supply agreement for deliveries of electricity and necessary, related services effective January 1, 2009; approving CAPP contracting with FPL Energy and Direct Energy for the supply of electric power and related, necessary services for the City for a term to begin January 1, 2009 and extending up to December 31, 2013, and providing for other matters related thereto.

Councilmember Mellow seconded. Motion carried.

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

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

Mayor-Joe Chow

Attest:

City Secretary-Mario Canizares