



Post Office Box 9010 Addison, Texas 75001-9010 5300 Belt Line Road  
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**AMENDED**

**AGENDA**

**WORK SESSION OF THE CITY COUNCIL**

**6:30 P.M.**

**AND**

**REGULAR MEETING OF THE CITY COUNCIL**

**7:30 P.M.**

**DECEMBER 1, 2009**

**TOWN HALL**

**5300 BELT LINE ROAD**

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**WORK SESSION**

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Item #WS1 - Discussion regarding recap of WorldFest 2009, funding for the 2010 Event and World Affairs Council of Dallas/Fort Worth Contract for consulting services.

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Item #WS2 - Discussion regarding political campaigning in public buildings.

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## REGULAR SESSION

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Pledge of Allegiance

Item #R1 - Consideration of Old Business.

Introduction of Employees

Discussion of Upcoming Events

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Item #R2 - Consent Agenda (Items #2a through #2c).

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Item #2a - Approval of the Minutes for:

November 10, 2009 Regular City Council Meeting and Work Session

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Item #2b - Approval of purchasing 331 water meters from Hersey Meter Company in an amount not to exceed \$81,589.18, for water meter replacement in the Oaks North Area.

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Item #2c - Approval of a Supplemental Agreement to the Agreement for Professional Services with Icon Consulting Engineers, Inc., in an amount not to exceed \$33,350.00, for additional professional services on the Vitruvian Park Phase 1 Infrastructure project.

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Item #R3 - Presentation, discussion and consideration of approval of the appointment of a member to the Charter Review Commission.

Administrative Comment:

On November 10, 2009, the Council determined that it would appoint members to a Charter Review Commission, with the intent to have all members appointed by December 8, 2009.

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Administrative Recommendation:

No recommendation.

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Item #R4 - Presentation, discussion and consideration of approval of the purchase of thirteen (13) 2010 Police Package Dodge Chargers, three (3) 2010 Police Pkg. Chevrolet Tahoe's, one (1) 2011 1 Ton Crew-Cab Truck, three (3) 2011 ¾ Ton Super-Cab and Service-Body Trucks, one (1) 2010 ½ Ton Chevrolet Hybrid Electric Pick-up Truck and one (1) 2010 Ford Escape Hybrid Electric Vehicle under the Town's Inter-local Agreement with the Houston-Galveston Area Council (HGAC).

Attachment:

1. Council Agenda Item Overview

Administrative Recommendation:

Administration recommends approval.

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Item #R5 - Presentation, discussion and consideration of approval of a resolution of the City Council of the Town of Addison, Texas, in support of Senate Bill 1451 and encouraging the United States Senate to pass a multi-year federal aviation administration reauthorization bill to fund the Airport Improvement Program (AIP).

Attachments:

1. Council Agenda Item Overview
2. Resolution

Administrative Recommendation:

Administration recommends approval.

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**EXECUTIVE SESSION**

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#ES1 - Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from, and/or to deliberate the offer of a financial or other incentive to, a business prospect or business prospects that the City Council seeks to have locate, stay or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations.

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#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: *Thielsch Engineering, Inc. v. Town of Addison, Texas, et al*, Cause No. 08-00463, 95<sup>th</sup> District Court, Dallas County, Texas.

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#R6 - Consideration of any action regarding commercial or financial information that the City Council has received from, and/or action regarding the offer of a financial or other incentive to, a business prospect or business prospects that the City Council seeks to have locate, stay or expand in the territory of the Town of Addison and with which the City Council is conducting economic development negotiations.

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#R7 - Consideration of any action regarding pending litigation, to wit: *Thielsch Engineering, Inc. v. Town of Addison, Texas, et al*, Cause No. 08-00463, 95<sup>th</sup> District Court, Dallas County, Texas.

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Adjourn Meeting

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Posted:  
November 20, 2009 at 5:00 P.M.  
Lea Dunn - 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.**

**Council Agenda Item: #WS1**

**There is no attachment for this Item.**

**Council Agenda Item: #WS2**

**There is no attachment for this Item.**

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

November 10, 2009  
6:00 P.M. – Town Hall  
5300 Belt Line Road  
Upstairs Conference Room

Council Members Present:

Mayor Chow, Councilmembers Braun, Clemens, Daseke, Lay, Mellow and Noble

Absent:       None

Work Session

Item #WS1 - Discussion regarding Texas Municipal Retirement System (TMRS).

Passion Hayes and David Rodriguez, TMRS staff, led the discussion regarding Texas Municipal Retirement System (TMRS).

There was no action taken.

Item #WS2 - Discussion regarding Airport management and operations contracts (proposed new structure).

Mark Acevedo and Jimmy Niemann led the discussion regarding Airport management and operations contracts (proposed new structure).

There was no action taken.

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Mayor-Joe Chow

Attest:

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City Secretary-Lea Dunn

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

November 10, 2009  
7:30 P.M. – Town Hall  
5300 Belt Line Road  
Council Chambers

Present: Mayor Chow, Councilmembers Braun, Clemens, Daseke, Lay, Mellow and Noble

Absent: None

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Bill Bonny with the Fire Department and Ricky McCafferty with the Police Department.

Item #R2 - Consent Agenda (Items #2a through #2e).

#2a - Approval of the Minutes for:

October 27, 2009, Regular City Council Meeting and Work Session  
November 2, 2009, Special Meeting of the City Council

Item #2b - Approval of a change order to American Landscape System's annual contract, totaling \$15,545.00 for landscape and irrigation maintenance services to include Spruill Park, the Allegro Development street trees and planting beds, and the Fairfield Development street trees and planting beds.

Item #2c - Approval of the award of bid to Southwest Industrial Surfaces, Inc., in the amount of \$31,696.00 for the purchase and installation of Tennant Floor Coating at the Addison Police Department, Detention Center area (Jail).

Item #2d - Approval of purchasing five (5) chemical monitoring stations from TRS Environmental in an amount not to exceed \$37,138.90.

Item #2e- Approval of a Resolution for the appointment of Michael Hurtt to the Dallas Central Appraisal District (DCAD) Board of Directors.

Mayor Chow pulled Item #2d for clarification.

Councilmember Clemens moved to approve Items #2a through #2e.



Councilmember Lay seconded the motion. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble  
Voting Nay: None  
Absent: None

Item #R3 - **PUBLIC HEARING** Case 1587-SUP/Patton's Christmas Trees.  
Requesting approval of an ordinance approving a Special Use Permit for a Christmas tree lot, located at 14639 Dallas Parkway, on application from Mr. Jeff Patton of Patton's Corner.

Councilmember Daseke moved to approve Ordinance 009-039 approving a Special Use Permit for a Christmas tree lot, located at 14639 Dallas Parkway, on application from Mr. Jeff Patton of Patton's Corner, with the permit to expire on January 30, 2011, and subject to the following condition

- Trees and decorations will be located on the lot only between November 1 and February 1 of each year.

Councilmember Braun seconded the motion. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble  
Voting Nay: None  
Absent: None

Item #R4 - Presentation, discussion and consideration of approval of the City Manager's recommended incentive compensation to Washington Staubach Addison Airport Venture for 2009 in the amount of \$50,000.

Councilmember Mellow moved to approve the City Manager's recommended incentive compensation to Washington Staubach Addison Airport Venture for 2009 in the amount of \$50,000.

Councilmember Daseke seconded the motion. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble  
Voting Nay: None  
Absent: None

Item #R5 - Presentation, discussion and consideration of approval of the Blue Cross/Blue Shield Health Insurance Renewal Contract.

Councilmember Lay moved to approve the Blue Cross/Blue Shield Health Insurance Renewal Contract.

Councilmember Daseke seconded. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble  
Voting Nay: None  
Absent: None

Item #R6 - Presentation, discussion and consideration of approval of the rejection of bids submitted for the construction of certain public infrastructure (Ponte Avenue and Bella Lane Vehicular Bridges and Pedestrian Bridge) within that area of the Town generally known as Vitruvian Park (Vitruvian Park Public Infrastructure Phase 1D).

Councilmember Braun recused himself for Item #R6 and left Council Chambers. He did not participate in the discussion or vote.

Councilmember Mellow moved to approve the rejection of bids submitted for the construction of certain public infrastructure (Ponte Avenue and Bella Lane Vehicular Bridges and Pedestrian Bridge) within that area of the Town generally known as Vitruvian Park (Vitruvian Park Public Infrastructure Phase 1D).

Councilmember Daseke seconded. Motion carried.

Voting Aye: Chow, Clemens, Daseke, Lay, Mellow and Noble  
Voting Nay: None  
Absent: None  
Abstaining: Braun

Councilmember Braun returned to Council Chambers.

Item #R7 - Presentation, discussion and consideration of approval of a Resolution regarding the appointment of a Charter Review Commission and process for City Charter review.

Councilmember Lay moved to approve Resolution R09-025 regarding the appointment of a Charter Review Commission and process for City Charter review, subject to the change that all members of the Commission will be appointed no later than December 8, 2009.

Councilmember Daseke seconded. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble  
Voting Nay: None  
Absent: None

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

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Mayor-Joe Chow

Attest:

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City Secretary-Lea Dunn

## **Council Agenda Item:#2b**

### **SUMMARY:**

This item is for the approval of purchasing 331 water meters from Hersey Meter Company in the amount not to exceed \$81,589.18.

### **FINANCIAL IMPACT:**

Budgeted Amount:     \$100,000.00

Cost:                     \$81,589.18

Funds are available in the Meter Service Connections portion of the Utility Budget for FY 2009-2010.

### **BACKGROUND:**

After completion of the 2006 water meter audit, Public Works staff found 75% of our water meters would need to be replaced in the next five years due to old age and high consumption. Monies were approved in the 2009-10 budget for the purchase of water meters that will replace over 400 meters. Included are 220 single family, 1" water meters in the Oaks North area as part of our fifteen-year, one-inch and smaller meter change out program. The majority of the 111 water meters left to replace will be 1.5" & 2" commercial meters east of the tollway and several others throughout the city that were identified to be over 17 years old. The purchase of the water meters from Hersey Meter Company will also include an electronic register that can be upgraded to an automatic meter reading network without replacing the meter. Staff advertised a formal invitation to bid and received quotes from three vendors. Hersey Meter Company is the lowest bid for \$81,589.18.

### **RECOMMENDATION:**

Staff recommends approval to purchase 331 water meters from Hersey Meter Company in the amount not to exceed \$81,589.18.

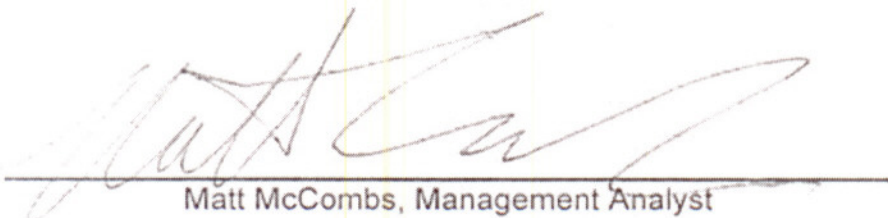
# Water Meter Replacement

BID NO 10-02

DUE: November 17, 2009

10:00 AM

BIDDER	Signed	Bid Bond	Bid Total
Act Pipe and Supply	✓	✓	99,289.00
Ferguson Waterworks	X	X	85,023.45.
Hersey Meters	✓	✓	81,589.18

  
Matt McCombs, Management Analyst



## **Council Agenda Item: #2c**

### **SUMMARY:**

Approval of a Supplemental Agreement to the Agreement for Professional Service with Icon Consulting Engineers, Inc., in the amount not to exceed \$33,350.00, for additional professional services on the Vitruvian Park Phase 1 Infrastructure project.

### **FINANCIAL IMPACT:**

Current Design/Inspection Contract Amount: \$2,163,250.00

Additional Design Cost: \$33,350.00

Source of Funds: General Obligation Bonds for Vitruvian Park

### **PROJECT MANAGER:**

Clay Barnett, P.E.

### **BACKGROUND:**

The Agreement for Professional Services for the Vitruvian Park Phase 1 Infrastructure with Icon Consulting Engineers, Inc. in the amount not to exceed \$1,997,200.00 was authorized by the City Council on April 8, 2008. A Supplemental Agreement to the Agreement for Professional Service for the design of the four bridges in the amount not to exceed \$58,500.00 was authorized by the City Council on February 24, 2009. A second Supplemental Agreement to the Agreement for Professional Service for the structural design of several items in the amount not to exceed \$107,550.00 was authorized by the City Council on March 24, 2009.

This Supplemental Agreement includes the surveys, utility location maps, preliminary alignment studies and construction cost estimates necessary prior to awarding a design contract for the realignment of the intersection of Brookhaven Club Drive (Vitruvian Way) and Spring Valley.

### **RECOMMENDATION:**

Staff recommends that Council authorize the City Manager to enter into a Supplemental Agreement to the Agreement for Professional Service with Icon Consulting Engineers, Inc., in the amount not to exceed \$33,350.00, for additional professional services on the Vitruvian Park Phase 1 Infrastructure project.

**Council Agenda Item:#R3**

**There are no attachments for this Item.**

## Council Agenda Item: #R4

### SUMMARY:

Council approval is requested for the purchase of (13) 2010 Police Pkg. Dodge Chargers, (3) 2010 Police Pkg. Chevrolet Tahoe's, (1) 2011 1 Ton Crew-Cab Truck, (3) 2011 ¾ Ton Super-Cab and Service-Body Trucks, (1) 2010 ½ Ton Chevrolet Hybrid Electric Pick-up Truck and (1) 2010 Ford Escape Hybrid Electric Vehicle under the Town's Inter-local Agreement with the Houston-Galveston Area Council (HGAC) and under State Contract with Caldwell Country Chevrolet.

### FINANCIAL IMPACT:

Capital Equipment Replacement Fund - Budgeted Amount:	<u>\$518,000.00</u>
Police (15 vehicles)	Cost: <u>\$328,637.00</u>

Capital Equipment Replacement Fund - Budgeted Amount:	<u>\$ 35,000.00</u>
Municipal Court (1 vehicle)	Cost: <u>\$ 24,938.00</u>

Capital Equipment Replacement Fund - Budgeted Amount:	<u>\$50,000.00</u>
Parks (2 vehicles)	Cost: <u>\$49,254.00</u>

Capital Equipment Replacement Fund - Budgeted Amount:	<u>\$70,000.00</u>
General Services (2 vehicles)	Cost: <u>\$67,297.00</u>

Utilities Fund - Budgeted Amount:	<u>\$62,000.00</u>
(2 vehicles)	Cost: <u>\$62,315.00</u>

### BACKGROUND:

HGAC issues request for bids for vehicles and equipment every year and receives extremely competitive prices because of the large volume of purchases the council generates. In the past, the prices received from HGAC have been 25% below the manufacturer's suggested prices. State statute exempts the Town from formal bid requirements when purchasing through the Inter-local Agreement with HGAC State Contract.

The (13) 2010 Police Package Chargers and (2) 2010 Police Package Tahoe's are replacing (13) 2007 Police Package Chargers and the (2) 2007 Police Package Magnums. (1) 2010 Police Package Tahoe is replacing a 2003 Crown Victoria for the Municipal Court Warrant vehicle. The (2) 2011 trucks for the Parks Department are replacing (2) 2002 trucks. (2) 2011 trucks are replacing (1) 2000 and (1) 2001 model trucks for the Utilities Department. The General Services Department is replacing (1) 2000 ½ ton Chevrolet pick-up with (1) 2010 Chevrolet Hybrid Electric Pick-up and also replacing (1) 2000 Chevrolet Astro Van with (1) 2010 Ford Escape Hybrid Electric Vehicle. All the replaced vehicles will be auctioned at the next Town auction.

There are sufficient funds in the Capital Equipment Replacement Fund and Utilities Fund to cover the total recommended expenditure of \$532,441.00.

### RECOMMENDATION:

Staff recommends approval.



## **Council Agenda Item: #R5**

### **SUMMARY:**

A Resolution of the City Council of the Town of Addison, Texas, in support of Senate Bill 1451 and encouraging the United States Senate to pass a multi-year Federal Aviation Administration Reauthorization Bill to fund the Airport Improvement Program (AIP).

### **BACKGROUND:**

Addison very much needs a multi-year FAA Reauthorization bill to be passed this fall. In the fiscal year just begun (FY10), we are slated to receive \$12.69 million to rehabilitate our only runway. The most important part of this project will be a new asphalt wearing surface (a “runway overlay”). It is absolutely critical that we be able to begin construction on this project no later than July 2010. Large asphalt projects must be done in the summer months when the weather is warm; you cannot lay asphalt in cool or rainy weather. Super Bowl XLV will be coming to North Texas on February 6, 2011 and Addison – indeed, the whole of North Texas – needs to be able to put best foot forward. For Addison, that means we must have our runway resurfaced, and summer 2010 is the last construction season before Super Bowl XLV comes to town. In order to begin construction by July 2010, we must go out for bids by the end of March (we are subject a 90-day bid process requirement). Before we can go out for bids, we must have the signed grant agreement in hand, which requires that TX-DOT Aviation has received their AIP Block Grant funding from FAA, and that the grant be approved by the Texas Transportation Commission. For this to occur, FAA must be able to distribute AIP grant funds no later than February 2010. Since the last FAA Reauthorization (“AIR-21” expired over two years ago, FAA has operated under a series of continuing resolutions – We are now on the 9<sup>th</sup> or 10<sup>th</sup> consecutive CR – and consequently has been unable to get AIP grant funds distributed to states and airports in a timely manner. This has adversely affected the ability of FAA and airports to plan and execute large capital improvement projects. Addison did not receive AIP grant funds for FY09 until August of this year, which has left the engineers designing our runway rehabilitation working very hard playing catch-up. Without a multi-year FAA Reauthorization bill passed this fall, Addison’s critically important runway resurfacing project will almost certainly be delayed another year ... and we will be hosting Super Bowl traffic on a runway that was last resurfaced in 1992.

This action is critically important to Addison Airport in particular, as well as other airports in North Texas – and all over the country – that are relying on Airport Improvement Program (AIP) funds to complete critical safety, security, and capacity enhancement projects.

### **RECOMMENDATION:**

Staff seeks Council’s support to adopt the attached resolution and forward it on to Senator’s Hutchison and Cornyn urging them and their colleagues in the Senate to act swiftly and pass a multi-year FAA Reauthorization bill (S. 1451) before the end of this year.

Attachments: Resolution

**ADDISON, TEXAS**

**RESOLUTION R09-**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, IN SUPPORT OF SENATE BILL 1451 AND ENCOURGAIING THE UNITED STATES SENATE TO PASS A MULTI-YEAR FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION BILL TO FUND THE AIRPORT IMPROVEMENT PROGRAM (AIP).**

**WHEREAS**, Addison Airport requires certain capital improvement projects to enhance safety and preserve the utility of the airport; and,

**WHEREAS**, Addison Airport is counting on Airport Improvement Program (AIP) grant funds from the Federal Aviation Administration (FAA) in order to effect these necessary capital improvements; and,

**WHEREAS**, the timing of the grant funding from FAA is critical and would be aided by an immediate multi-year reauthorization of FAA by Congress; and,

**WHEREAS**, passage of an FAA Reauthorization bill is critical to the orderly planning and timely funding and execution of critically important airport safety improvement, preservation and capacity enhancement projects at airports all across the United States; and,

**WHEREAS**, the Federal Aviation Administration (FAA) has been operating under authority of a series of Continuing Resolutions since the expiration of the "AIR-21" (the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century) authorizing legislation passed on April 5, 2000; and,

**WHEREAS**, the House of representatives on May 21, 2009 passed House Resolution (H.R.) 915 "FAA Reauthorization Act of 2009"; and,

**WHEREAS**, Senate Bill (S.B.) 1451 the "FAA Air Transportation Modernization and Safety Improvement Act" is currently before the Senate for consideration; and,

**WHEREAS**, immediate action by the Senate to pass S.B. 1451 is needed to ensure that FAA reauthorization legislation will be completed and signed into law before the end of this year.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:** That the Mayor and City Council of the Town of Addison urge the U.S. Senate and in particular Senator Cornyn and Senator Hutchison to act quickly to pass S.B. 1451 and take all other necessary action to ensure that a multi-year FAA reauthorization bill is passed into law by the end of calendar year 2009.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of December, 2009.

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Name Joe Chow

Title Mayor

Entity Town of Addison

Council Agenda Item **#ES1**

There are no attachments for this Item.

Council Agenda Item **#ES2**

There are no attachments for this Item.

**Council Agenda Item:#R6**

**There are no attachments for this Item.**

**Council Agenda Item:#R7**

**There are no attachments for this Item.**