



Post Office Box 9010 Addison, Texas  
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5300 Belt Line Road  
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## AGENDA

### SPECIAL MEETING AND WORK SESSION OF THE CITY COUNCIL

6:00 PM

AUGUST 20, 2012

**ADDISON TOWN HALL, 5300 BELT LINE, DALLAS, TX 75254**

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Item #S1 Discussion and consideration of action, including approval  
- of a Resolution, regarding the conducting of aerial spraying  
over the Town to facilitate the eradication of mosquitoes  
that carry the West Nile Virus.

Attachment(s):

1. Resolution
- 

Item #S2 Discussion and consideration of approval of an Ordinance  
- that continues in effect, until terminated by order of the City  
Council of the Town of Addison, the declaration of disaster  
for the Town issued by the Mayor on August 16, 2012  
regarding the West Nile Virus.

Attachment(s):

1. Government Code Source Authorization
-

Item #S3 Discussion regarding the Town of Addison Strategic Plan  
- and FY 2013 Budget.

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Item #S4 Discussion of the Town of Addison's compensation plan.  
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Adjourn Meeting

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Posted:  
Chris Terry, 8/17/2012, 5:00 PM

**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

**AGENDA CAPTION:**

Discussion and consideration of action, including approval of a Resolution, regarding the conducting of aerial spraying over the Town to facilitate the eradication of mosquitoes that carry the West Nile Virus.

**FINANCIAL IMPACT:**

There is no direct financial impact associated with this item.

**BACKGROUND:**

n/a

**RECOMMENDATION:**

**COUNCIL GOALS:**

Provide Superior Public Safety, Customer Service, Social and Health Services to the Community

**ATTACHMENTS:**

Description:

 [Resolution](#)

Type:

Backup Material

**TOWN OF ADDISON**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS EXPRESSING ITS DESIRE AND AGREEMENT TO PARTICIPATE WITH AND BE INCLUDED IN AERIAL SPRAYING TO CONTROL MOSQUITOES THAT SPREAD WEST NILE VIRUS TO BE PERFORMED BY DALLAS COUNTY, TEXAS AND/OR THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES; FINDING THAT THE CONTROL OF SUCH MOSQUITOES IS IMPERATIVE TO PROTECT THE HEALTH, WELFARE AND SAFETY OF THE PUBLIC; AUTHORIZING THE CITY MANAGER TO TAKE SUCH STEPS AS HE MAY DEEM NECESSARY TO CARRY OUT SUCH PARTICIPATION AND INCLUSION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Addison, Texas (“Addison” or “City”) is a home rule municipality located in Dallas County, Texas (“Dallas County” or “County”) having the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

**WHEREAS**, the County, including the City, is experiencing a severe outbreak of West Nile Virus (“WNV”), which is transmitted primarily through the bite of an infected mosquito; and

**WHEREAS**, the Dallas County Health and Human Services Department (“Dallas County HHS”) issues a publication entitled “West Nile Watch,” and the most recent edition, published August 13, 2012, reflects 190 human cases of WNV in the County, including 2 cases in Addison and numerous cases and WNV positive mosquito traps in areas adjacent to Addison, as follows (designated by city and zip code): 5 human cases, at least 1 positive trap (Carrollton, 75006); 4 human cases, 2 recent positive traps (Farmers Branch, 75234); 3 human cases, at least 1 positive trap (Dallas, 75244), 1 human case, at least 1 positive trap (Dallas, 75240); and 6 human cases, at least 1 positive trap (Richardson, 75080); and

**WHEREAS**, 10 deaths in Dallas County have resulted from WNV infection; and

**WHEREAS**, the Director of the Dallas County HHS has referred to the County as the “epicenter” of the WNV outbreak in the country, and on August 9, 2012 the Dallas County Judge issued an Order proclaiming a state of disaster in Dallas County and implementing the County’s Emergency Management Plan as a result of the widespread or severe damage, injury, loss or threat of life resulting from WNV, and determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property; and

**WHEREAS**, on August 10, 2012, the Commissioner of the Texas Department of State Health Services (“Texas DSHS”), Dr. David L. Lakey, issued a “Determination of Immediate Public Health Threat,” reciting therein that, pursuant to Chapter 81 of the Texas Health and Safety Code, he has determined that, based on the facts and information set forth in the document, there is an immediate threat to Dallas County from a communicable disease that (1) poses a high risk of death or serious long-term disability to a large number of people; and (2) creates a substantial risk of public exposure because of the disease’s high level of contagion or the method by which the disease is transmitted; and

**WHEREAS**, on August 13, 2012 representatives from the Texas DSHA (Dr. David Lakey, Commissioner), the Center for Disease Control and Prevention (Dr. Roger Nasci), the Texas Department of Public Safety (Nim Kidd, Chief of Texas Division of Emergency Management), Dallas County (Clay Jenkins, County Judge, Zachary Thompson, Director of Dallas County HHS, and Dr. Christopher Perkins, Medical Director, Dallas County HHS), met with representatives from local jurisdictions in Dallas County, including City representatives, and expressed the urgent need, commencing August 16, 2012, to conduct aerial spraying in the County to facilitate the eradication of mosquitoes and combat the spread of the WNV, and requested that each local governmental entity represented at the meeting notify each of the County Judge and Dr. David Lakey no later than 5:00 p.m. on August 15, 2012 whether or not the entity desires to be included in the aerial spraying; and

**WHEREAS**, upon receiving the information at the August 13, 2012 meeting described above and in light of the urgent public necessity to protect the public health, safety and welfare from the further spread of WNV and the need to notify the County Judge and Dr. Lakey by 5:00 p.m. on August 15, 2012, an emergency supplemental agenda to discuss and consider action regarding aerial spraying over the City was added to the regular City Council meeting scheduled for August 14, 2012 and notice thereof was properly posted in accordance with law; and

**WHEREAS**, the City Council does concur with the findings and determinations of the County Judge and the Texas DSHS as described above, does find that the control of mosquitoes that carry WNV is imperative to protect the health, safety and welfare of the citizens of the City, and desires to participate with Dallas County, the Texas DSHS, and other local government entities in the County in the conduct of aerial spraying.

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

Section 1. The Town of Addison, Texas desires and agrees to participate with and be included in the aerial spraying for the control of mosquitoes that carry the West Nile Virus, to be conducted by Dallas County and/or the Texas Department of State Health Services as described above. The City Manager is authorized to take such steps as he may deem necessary in order to carry out such participation and inclusion.

Section 2. The above and foregoing recitals are true and correct and are incorporate herein and made a part hereof for all purposes.

Section 3. This Resolution shall take effect immediately upon its passage and approval.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas this the 14<sup>th</sup> day of August, 2012.

\_\_\_\_\_  
Todd Meier, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Chris Terry, City Secretary

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
John Hill, City Attorney

## Council Agenda Item: #WS2

**AGENDA CAPTION:**

Discussion and consideration of approval of an Ordinance that continues in effect, until terminated by order of the City Council of the Town of Addison, the declaration of disaster for the Town issued by the Mayor on August 16, 2012 regarding the West Nile Virus.

**FINANCIAL IMPACT:**

n/a

**BACKGROUND:**

n/a

**RECOMMENDATION:**

**COUNCIL GOALS:**

Provide Superior Public Safety, Customer Service, Social and Health Services to the Community

**ATTACHMENTS:**

Description:

 [Government Code Source Authorization](#)

Type:

Backup Material

Section 418.108, Tex. Gov. Code

Sec. 418.108. DECLARATION OF LOCAL DISASTER. (a) Except as provided by Subsection (e), **the presiding officer of the governing body of a political subdivision may declare a local state of disaster.**

**(b) A declaration of local disaster may not be continued or renewed for a period of more than seven days except with the consent of the governing body of the political subdivision or the joint board as provided by Subsection (e), as applicable.**

(c) An order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the city secretary, the county clerk, or the joint board's official records, as applicable.

(d) A declaration of local disaster activates the appropriate recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. The appropriate preparedness and response aspects of the plans are activated as provided in the plans and take effect immediately after the local state of disaster is declared.

(e) The chief administrative officer of a joint board has exclusive authority to declare that a local state of disaster exists within the boundaries of an airport operated or controlled by the joint board, regardless of whether the airport is located in or outside the boundaries of a political subdivision.

(f) The county judge or the mayor of a municipality may order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the county judge or mayor if the county judge or mayor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery.

(g) The county judge or the mayor of a municipality may control ingress to and egress from a disaster area under the jurisdiction and authority of the county judge or mayor and control the movement of persons and the occupancy of premises in that area.

(h) For purposes of Subsections (f) and (g):

(1) the jurisdiction and authority of the county judge includes the incorporated and unincorporated areas of the county; and

(2) to the extent of a conflict between decisions of the county judge and the mayor, the decision of the county judge prevails.

(i) A declaration under this section may include a restriction that exceeds a restriction authorized by Section 352.051, Local Government Code. A restriction that exceeds a restriction authorized by Section 352.051, Local Government Code, is effective only:

(1) for 60 hours unless extended by the governor; and

(2) if the county judge requests the governor to grant an extension of the restriction.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 33, Sec. 3, eff. May 14, 2003.

Amended by: Acts 2005, 79th Leg., Ch. [274](#), Sec. 1, eff. June 9, 2005.

Acts 2007, 80th Leg., R.S., Ch. [258](#), Sec. 17.01, eff. September 1, 2007.

Acts 2009, 81st Leg., R.S., Ch. [1280](#), Sec. 1.13, eff. September 1, 2009.



## Council Agenda Item: #WS3

**AGENDA CAPTION:**

Discussion regarding the Town of Addison Strategic Plan and FY 2013 Budget.

**FINANCIAL IMPACT:**

n/a

**BACKGROUND:**

n/a

**RECOMMENDATION:**

n/a

**COUNCIL GOALS:**

N/A

**ATTACHMENTS:**

Description:

Type:

No Attachments Available

## **Council Agenda Item: #WS4**

**AGENDA CAPTION:**

Discussion of the Town of Addison's compensation plan.

**FINANCIAL IMPACT:**

There is no direct cost associated with this item.

**BACKGROUND:**

This item will be presented at the work session.

**RECOMMENDATION:**

**COUNCIL GOALS:**

Mindful Stewardship of Town Resources, Maintain and Enhance our Unique Culture

**ATTACHMENTS:**

Description:

Type:

No Attachments Available