

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

March 26, 2013

6:00 PM - Town Hall

Addison Town Hall, 5300 Belt Line, Dallas, TX 75254 Starting Times:

Work Session 6PM, Regular Meeting 7:30PM

Upstairs Conference Room

Council Members Present:

Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Absent:

None

Work Session

Item #WS1 - Status update on Accelerated Ventures Program, and how the program can be a catalyst for entrepreneurial development in the Town of Addison.

Item #WS2 - Discussion and consideration of the April 16, 2013 Town Hall presentations and format.

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

March 26, 2013

6:00 PM - Town Hall

Addison Town Hall, 5300 Belt Line, Dallas, TX 75254 Starting Times:

Work Session 6PM, Regular Meeting 7:30PM

Chris Terry, 3/22/13, 5:00pm

Council Members Present:

Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Absent:

None

REGULAR MEETING

Item #R1 - Announcements and Acknowledgements regarding Town and Council Events and Activities

Item #R2 - Consent Agenda

#2a - Approval of the Minutes for the March 12, 2013 Regular Council Meeting Agenda.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2b - Approval of a resolution that authorizes The Town of Addison to be or remain a member of a 167-member city coalition known as the Atmos Cities Steering Committee (ACSC). The resolution approves the assessment of a five cent (\$0.05) per capita fee to fund the activities of the Steering Committee.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2c - Consideration of approval of an Ordinance amending the budget for the fiscal year ending September 30, 2013 in the amount of \$22,500 for the Festival Consulting Agreement with the World Affairs Council.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2d - Consideration and approval of a bid for Portable Restroom Services (Bid No. 13-18) submitted by United Site Services in the amount of \$14,549.00 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2e - Consideration and approval of a bid for Miscellaneous Rentals (Bid No. 13-17) submitted by M & M The Special Event Company in the amount of \$50,783.79 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2f - Consideration and approval of a bid for Temporary Fence Services (Bid No. 13-14) submitted by Cain Fence Company in the amount of \$16,760.45 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2g - Consideration and approval of a bid for Temporary Electrical Services (Bid No. 13-13) submitted by CAT Entertainment Services in the amount of \$136,500 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2h - Consideration and approval of a bid for Dumpster Services (Bid No. 13-12) submitted by Moore Disposal in the amount of \$10,700 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2i - Consideration and approval of a bids for Stage, Sound & Lighting Services (Bid No. 13-16) submitted by Onstage Systems in the amount of \$77,050 annually for Taste Addison and Executive Lighting & Sound Productions in the amount of \$34,854 annually for Summer Series and Oktoberfest. Bids are for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2j - Consideration and approval of a bid for Tent Rental Services (Bid No. 13-19) submitted by Mike Sandone Productions in the amount of \$136,745.00 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2k - Consideration and approval of a bid for Trash Pick-up Services (Bid No. 13-20) submitted by ACT Event Services in the amount of \$72,637.20 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R3 - Presentation of a proclamation honoring the community support of Raising Cane's restaurant.

Mayor Meier presented this proclamation honoring Raising Cane's restaurant in Addison for their community support with the Addison Arbor Foundation. Anders Grove, General Manager for Raising Cane's, accepted the proclamation.

There was no action taken.

Item #R4 - Discussion and consideration of approval of appointment of a Member to the Planning and Zoning Commission.

Council Member Resnik made a motion to approve the reappointment of his representative on the Planning & Zoning Commission, Linda Groce.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Mayor Todd Meier.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R5 - Presentation, discussion, and consideration of an ordinance amending Chapter 62, Signs, of the Code of Ordinances of the Town by providing for a Meritorious Exception to Article IV. Requirements for Specific Types of Signs, Division 3. Attached Signs, Sec. 62-163. Area, Item (4) in order to provide for an additional attached sign on application from Systemware.

Lynn Chandler, Building Official, spoke on this item. John J. Leonard, Senior V.P., C.B. Richard Ellis, also spoke on this this item representing the tenant, Systemware.

A motion to Approve was made by Council Member Blake Clemens. The motion was seconded by Council Member Chris DeFrancisco. The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R6 - Presentation, discussion and consideration of approval of Engineering Design and Professional Services agreement between the Town of Addison and LNV Engineering, Inc., in an amount not to exceed \$225,000 for Wastewater System Inspection and Evaluation.

Lisa Pyles, Director of Infrastructure Operations and Services, spoke on this item.

A motion to Approve was made by Council Member Bruce Arfsten. The motion was seconded by Council Member Margie Gunther.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore,

Resnik

Voting Nay: None

Item #R7 - Presentation, discussion and consideration of approval of the establishment of a Multi-Family Recycling Pilot Program.

Council Member DeFrancisco spoke on this item.

A motion to Approve was made by Council Member Chris DeFrancisco.

The motion was seconded by Council Member Neil Resnik.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R8 - Report and update by the Economic Development Department to Town Council on departmental endeavors.

Orlando Campos, Director of Economic, spoke on this item.

A motion to was made by .

The motion result was:

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R9 - Discussion and consideration of approval to authorize the City Manager to release the Fiscal Year 2012 Comprehensive Annual Financial Report.

Eric Cannon, Chief Financial Officer, spoke on this item.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R10 - Presentation of the Town of Addison's Financial and Strategic Services Department.

Eric Cannon, Chief Financial Officer, spoke on this item.

A motion to was made by .

The motion result was:

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #ES1 - Closed (executive) session of the City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding the ratio of food-to-alcohol sales for restaurants.

Council entered into Executive Session at 8:41pm.

A motion to was made by .

The motion result was:

Voting Aye: None

Voting Nay: None

Item #ES2 - Closed (executive) session of the City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the

City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding the Texas Open Meetings Act.

A motion to was made by .

The motion result was:

Voting Aye: None

Voting Nay: None

Item #ES3 - Closed (executive) session of the Addison City Council, pursuant to Section 551.072, Texas Government Code, to deliberate the lease or value of certain real property located within the Town.

Orlando Campos, Director of Economic Development, spoke on this item.

A motion to was made by .

The motion result was:

Voting Aye: None

Voting Nay: None

Item #ES4 - Closed (executive) session of the 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 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, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

Orlando Campos, Director of Economic Development, spoke on this item.

There was no action taken.

Item #ES5 - 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: Town of Addison, Texas v. North Texas Contracting, Inc., Cause No. 12-6525-C, 68th Judicial District Court, Dallas County, Texas, and a settlement offer regarding the same.

This item was pulled from the Agenda.

Council closed Executive Session at 9:21pm.

There was no action taken.

Item #R11 - Discussion and consideration of any action regarding certain pending litigation, to wit: Town of Addison v. North Texas Contracting, Inc., Cause No. 12-6525, 68th Judicial District Court, Dallas County, Texas, and a settlement offer regarding the same.

This item was pulled from the Agenda.

There was no action taken.

Item #R12 - Discussion and consideration of approval of Change Order number 7 in connection with the contract for the Park and Streetscape improvements to be known as Vitruvian Park Public Infrastructure Phase 1C.

This item was pulled from the Agenda.

There was no action taken.

Item #R13 - Discussion and consideration of approval of Change Order number 1.3 and Change Order number 2.3 in connection with the contract for the Spring Valley Road Widening, Public Works #2010-05 and 2010-02, Bid Number 11-02, October 2010.

This item was pulled from the Agenda.

There was no action taken.

Item #R14 - Consideration of any action regarding commercial or financial information that the City Council has received from 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, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

A motion to Approve was made by Council Member Bruce Arfsten.

The motion was seconded by Council Member Margie Gunther.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R15 - Consideration of any action regarding certain real property located within the Town of Addison, including the lease or value of such property and related matters.

A motion to Approve was made by Council Member Blake Clemens.

The motion was seconded by Council Member Chris DeFrancisco.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry