

# DRAFT

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

November 14, 2017

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

5:00 p.m. Dinner, Executive Session & Work Session 7:30 p.m. Regular Meeting

Present: Mayor Chow; Mayor Pro Tempore Hughes; Deputy Mayor Pro Tempore Duffy; Councilmember Angell; Councilmember Braun; Councilmember Walden; Councilmember Ward

Closed (executive) session of the Addison 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 governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to:

**Town of Addison v. Landmark Structures I, L.P. and Urban Green Energy Cause No. DC-15-07691 44th Judicial Court, Dallas, County**

Executive Session convened at 5:07 p.m.

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In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Open Session reconvened at 6:18 p.m. with no action taken regarding the above Executive Session item.

The meeting recessed until the Work Session began at 6:30 p.m.

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## WORK SESSION

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3. Present and Discuss the **Status Update of the Financial Plan and Rate Model for Water and Sewer Utility Rates for the Town's Use with Raftelis Financial Consultants, Inc. (RFC).**

Chief Financial Officer Olivia Riley introduced Angie Flores with Raftelis Financial Consultants, Inc., a utility rate consulting firm. Ms. Flores presented to council the Outlook for 2018 that included Revenues and Expenses from 2012 through 2017. She then provided the forecast for 2018 based on current rates. There will be a deficit of \$500,000 in 2018 and a cumulative deficit of \$1.1M through 2023. Total expenses for FY 2018 is projected at \$12.3M.

The Town's Financial Plan includes revenue requirements for Capital costs, Operations and Maintenance, and Transfers. She explained that Pass Through Rates are the cost of purchasing water from Dallas Water Utilities and the Trinity River Authority. Model assumptions through FY 2023 include a 5% annual increase for both.

Ms. Flores then reviewed the Town's current staffing level of sixteen and a projection that includes seven additional full-time employees beginning in 2019. She reviewed the advantages and disadvantages of maintaining the current staffing levels. The cost of the additional personnel and related vehicles will cost approximately \$550,000. For the years 2019 to 2021 additional staff and vehicle needs are expected to cost \$570,000.

The current Fund Balance must remain at a minimum of 25% of the annual operating costs. General discussion among Council determined that percentage should stay the same as the new financial policy is drafted. Utility rate adjustment approaches were discussed with Council consensus to implement systematic adjustments with annual reviews.

The current five year Capital Improvement Plan for utilities includes \$15M to be partially funded with FY 2016 bond proceeds and the FY 2018 Capital Plan. Council consensus was to consider future financing of capital improvements with a mix of bond funds and excess Fund Balance.

A Model for the Water and Sewer Utility Rates and Financial Plan will be presented at a future meeting.

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4. Present and Discuss the **Committee of Sponsoring Organizations of the Treadway Commission (COSO) Framework and Introduce an Internal Control Program Outline for the Town of Addison.**

Chief Financial Officer Olivia Riley provided a brief background of “COSO”. The Committee of Sponsoring Organizations of the Treadway Commission is an internal control framework. The Town of Addison uses the framework as outlined in “The Green Book” which adapts control principals for a government environment. The purpose is to help the Town run its operations efficiently and effectively and to comply with applicable laws and regulations. Further, the Committee provides leadership, guidance on risk management, and fraud deterrence. CFO Riley reviewed the components and steps of the Internal Control Program and a potential 2018 schedule for implementation and completion of the program. Results and recommendations for improvement will be reported to city management. Processes will be documented for future staff.

City Manager Pierson advised the Council that the cost for the program is unknown at this point however, the Town budgets approximately \$50k per year for efficiency projects. The next briefing on this matter will be in March 2018.

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5. Present and Discuss an **Update on the Cotton Belt Regional Rail Project.**

Deputy City Manager Ashley Mitchell updated the Council on the DART Cotton Belt Project, which is a 26-mile Regional Rail Corridor. DCM Mitchell advised that this Regional Rail system is diesel/electric and not an electric Light Rail. The timeline for the project indicates completion by the end of 2022. DCM Mitchell stated that community involvement is a key factor with several upcoming meetings. It was noted that “Quiet Zones” in or near Addison are being included and are authorized for 5 years. After that the Town will need to reapply for Quiet Zone designations. She further advised that the Addison Road crossing will not be an aerial crossing due to its proximity to Addison Airport however the Midway Road Crossing will be above grade. DART has committed to making this crossing visually complementary to the existing Wheeler Bridge. A Council resolution for formal action will be presented in the future regarding the Midway Road crossing.

Charles Goff, Assistant Director of Development Services and

Planning, then presented information on two Special Study Areas in the Addison Circle District called for the Comprehensive Plan. Staff is recommending these be combined into one area. A Professional Services Agreement with Kimley-Horn will be proposed in December 2017. Community input will be sought and the study will take approximately four months to complete.

*The Work Session adjourned at 7:58 p.m.*

*The Regular Session convened at 8:03 p.m.*

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## REGULAR MEETING

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### Pledge of Allegiance

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Announcements and Acknowledgements regarding Town and Council Events and Activities

#### Discussion of Events/Meetings

City Manager Wes Pierson announced that Town of Addison Human Resource Director Passion Hayes was named the 2017 Ogletree Deakins HR Professional of the Year by the North Dallas Chamber of Commerce. Upcoming meetings and events: A public work shop regarding the city's ADA Transition Plan is being held at the Addison Conference Center on November 30, 2017. DART Cottonbelt open house meetings are scheduled for November 29 and 30, and on December 7, 2017. The tree lighting is planned for November 17th and the Vitruvian Park Lighting is scheduled for November 24th. More information on these events is available on the Town website. Town offices will be closed in observance of Thanksgiving on November 23rd and 24th.

Mayor Chow advised that he attended a meeting (today) of the Restaurant Owners and Managers.

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#### Public Comment.

The City Council invites citizens to address the City Council on any topic not on this agenda. Please fill out a **City Council Appearance Card** and submit it to a city staff member prior to Public Participation. Speakers are allowed **up to three (3) minutes per speaker** with

**fifteen (15) total minutes** on items of interest or concern and not on items that are on the current agenda. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. The Council may choose to place the item on a future agenda.

***There were no requests to speak.***

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**Consent Agenda:**

*All items listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.*

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7. Consider Action to Approve the **October 24, 2017 Regular Meeting Minutes.**

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8. Consider Action to Approve a **Resolution for the Purchase and Installation of Outdoor Pool Filters and Associated Elements from Sunbelt Pools for the Addison Athletic Club and Authorize the City Manager to Execute the Agreement** in an Amount not to Exceed \$112,000.

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9. Consider Action to Approve the **Purchase of (2) 2018 Sedans, (1) 2018 Electric Vehicle (1) 2018 ½ Ton Truck, (2) 2018 1 Ton Trucks, (1) 2018 Sport Utility Vehicle, (1) 2018 Mini-Excavator, (1) 2018 Brush Chipper, (1) 2018 Aerial Lift Truck, (2) 2018 Tractor Mowers, (1) 2018 Grasshopper Mower, under the Town's Inter-local Agreement with the Texas Local Government Purchasing Cooperatives known as BuyBoard, Texas SmartBuy and US Communities** in an Amount not to Exceed \$680,005.52.

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10. Consider Action to Approve a **Resolution for a License Agreement with Dallas Area Rapid Transit (DART) to Allow Operation and Maintenance of a Sanitary Sewer Line within DART Right-of-Way at Dallas Parkway and Crossing the Cotton Belt Line and Authorize the City Manager to Execute the Agreement.**

***Motion to approve the above consent agenda items-  
Councilmember Braun; second by Councilmember Ward;  
motion passed with a vote of 7-0.***

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11. Present, Discuss and Consider Action on a **Resolution for a Grant Funding Agreement with The Cavanaugh Flight Museum and Authorize the City Manager to Execute the Agreement** in an Amount not to Exceed \$50,000.

Deputy City Manager Cheryl Delaney advised the Council that the Cavanaugh Flight Museum submitted a Grant Funding Application to the Town requesting \$50,000. Upon staff review it was determined the request is for a public purpose that enhances the Town of Addison.

Listed below are the grant uses submitted in the non-profit organization's application:

Marketing funds for advertising museum events

Executing flyovers

Operational funds needed to fly multiple aircraft

Additionally, Cavanaugh Flight Museum is requesting deletion of the following requirement located in Section VIII. Additional Requirements of the Organization, subsection (b) of the agreement included in the attached resolution: "...and a schedule of all board meetings. A representative from the City may choose to attend any scheduled board meetings. The City shall be immediately be notified of any changes to the schedule..."

The reason given for this request is that the board meetings are conducted as closed meetings. Staff is requesting direction from Council regarding the deletion of this requirement.

***Motion to approve with modification of the wording as requested– Deputy Mayor Pro Tempore Duffy; second by Mayor Pro Tempore Hughes; motion passed with a vote of 7-0.***

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12. Present, Discuss and Consider Action on a **Resolution Appointing Members to the Planning & Zoning Commission.**

Charles Goff reviewed the appointment process for boards. Terms are for two years beginning in January. Newly elected council members may nominate members. It was noted that there were 23 applicants.

Following a brief discussion of the Planning and Zoning applicants, the following were presented for approval:

Place 4: Denise Quintanilla (selected by Tom Braun)  
Place 5: Eileen Resnik (selected by Lori Ward)  
Place 6: Jerry Dougan (selected by Mayor Chow)  
Place 7: Thomas Souers (selected by Ivan Hughes)

Mayor Chow thanked P&Z members who have served in the past.

***Motion to approve [as presented]- Councilmember Walden; second by Deputy Mayor Pro Tempore Duffy; motion passed with a vote of 7-0.***

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13. Present, Discuss and Consider Action on a **Resolution Appointing Members to the Board of Zoning Adjustment.**

Charles Goff explained to the Council that the Board of Zoning Adjustment (BZA) hears variance requests, hears appeals, and serves as the Fire Code BZA and the Building Code BZA. He noted that the board's actions are final in matters and may supersede Council actions.

Following a brief Council discussion of the Board of Zoning Adjustment applicants, the following were presented for approval:  
Place 4: EJ Copeland (selected by Tom Braun)  
Place 5: Jeanne Dunlap (selected by Lori Ward)  
Place 6: Gary Krupkin (selected by Mayor Chow)  
Place 7: Matt Horine (selected by Ivan Hughes)

***Motion to approve [as presented]- Deputy Mayor Pro Tempore Duffy; second by Councilmember Walden; motion passed with a vote of 7-0.***

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14. Present, Discuss, And Consider Action on an **Ordinance Granting A Meritorious Exception for Poochville, Located at 15070 E. Beltway Parkway, from the Code of Ordinances, Chapter 62 Section 62-185. - Specifications for Detached Signs in Order to Permit a Sign Exceeding the Effective Area Requirements.**

Charles Goff presented this request for a Meritorious Exception to the Council. He reviewed the location of the sign in question, adding the sign is a multi-tenant sign and the requestors have utilized the entire sign on one side (opposite side blocked from view by trees according to the requestor.) Further, the sign was changed without a permit. Staff is recommending denying the request. Requestor Tina Austin

of Poochville told the Council that the building has always been a single-tenant building and the city's requirements for lesser square footage would be cause her business to be less visible. Other speakers in favor were Dan Smith and Dan Miller of Legacy Signs of Texas. After Council discussion, the following motion was made.

***Motion to deny- Deputy Mayor Pro Tempore Duffy; second by Councilmember Ward; motion passed with a vote 6-1 [Mayor Chow voted no.]***

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15. Present and Discuss the **Oktoberfest 2017 Operations and Financial Reconciliation.**

Mark Acevedo, Director of General Services, provided information on the recently held Oktoberfest. He reviewed the changes that were implemented this year that included age 12 and under free admission as well as Thursday and Sunday free admission. Accounting Supervisor Ashley Boatright reviewed the attendance and ticket sales from 2013 to 2017. The total revenue for 2017 was \$1,793,611 and total attendance was 48,046 people. Total expenses for the event were \$1,783,881.

There was a brief discussion on possible changes for the 2018 event. Mr. Acevedo added that staff will reevaluate whether the free Sunday should be offered again. The Mayor stated he would like to have the Intercontinental Hotel return to the event.

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16. Present and Discuss **Addison's Three-Year Strategic Communications Plan.**

Communications Director Mary Rosenbleeth presented the Town's Strategic Communications Plan, stating the purpose of the plan is to frame internal and external communication, set the organization's priorities, target stakeholders and identify resources. She stated the Guiding Principles and explained the four Goals of the plan.

The responsibilities of the Communications Team include website administration, social media administration, media relations, stock photography management, monitoring and analyzing press and social media coverage, brand management, and monitoring and editing all external communication pieces. Further, the team creates and distributes a weekly Town e-newsletter, handles crisis communications, and markets all Addison produced special events. Promoting tourism, Town programs and events are also a focus.

Director Rosenbleeth reviewed all the options/avenues available for communication with residents, employees, visitors, and the media. She reviewed the 2017 accomplishments and the 2018 goals. There was a brief discussion with Council on methods needed for communication between residents and the restaurants, and with the hotels regarding their events.

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17. Present, Discuss, and Consider Action on a **Resolution for an Agreement with North Rock Construction, LLC for Park Renovations at Dome Park and Authorize the City Manager to Execute the Agreement** in an Amount not to Exceed \$155,000.

Michael Kashuba, Director of Parks and Recreation, advised he would like his presentation to be for this agenda item and the following item since they are related. He stated that in 2013 Oncor notified the Town that the playground located on their easement along Redding Trail would need to be removed for safety reasons and needed to be done by September 2017. A new playground site was selected at Dome Park. In July 2017 Council authorized \$250,000 in funding. Several public meetings were held on the design. The existing trees and shrubs will be preserved during the process. It was noted that the existing light poles will be utilized and there will be no need for a parking area. Renderings of the park layout and playground equipment were provided.

Bids were received in September 2017 and staff is recommending the low bidder, North Rock Construction, be awarded this project for site improvements. Mr. Kashuba pointed out that the contract has the previous council meeting date of October 24, 2017 and he will request the contractor strike that and write in today's date.

***Motion to approve [in an amount not to exceed \$155k] with a correction to the contract date- Councilmember Angell; second by Mayor Pro Tempore Hughes; motion approved with a vote of 7-0.***

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18. Present, Discuss, and Consider Action on a **Resolution for the Purchase of a Playground and Associated Elements from Recreation Consultants of North Texas for Dome Park and Authorize the City Manager to Execute the Agreement** in an Amount not to Exceed \$94,826.

***Motion to approve- Councilmember Braun; second by Councilmember Ward; motion passed with a vote of 7-0.***

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19. Present, Discuss, and Consider Action on a **Resolution to Adopt the Amended Naming and Recognition Policy for City Owned Structures, Trails and Parks.**

On June 9, 2015, City Council approved a resolution adopting the Naming and Recognition Policy for town owned structures, parks and trails. The criteria for naming a structure, trail or park was based on an individual or corporation meeting one of the following criteria:

- The individual was a former Mayor and had made a significant contribution of service toward the betterment of the Addison community and had been out of office for a minimum of 5 years
- Individuals or corporations who donate at a minimum of \$1,000,000 in land, services or funds to Addison
- Dog parks may be named for an individual or corporation with a minimum donated amount of \$250,000

Individuals or corporations that did not meet the criteria above had no process of receiving recognition for their contributions or donations. Instead, the policy directed staff to find creative ways to recognize these individuals and entities.

At the request of several Council Members, staff brought this policy back to Council at the September 13, 2017 work session to discuss potential changes that might be considered. During the discussion, Council gave the following direction to staff:

Bring back a draft policy that includes the original policy adopted in 2007 with blanks for thresholds on financial contribution and years of service

- Include a clause that will give the Town the ability to work with developers to name new streets
- Include a clause that will allow Council to consider exceptional cases that do not meet the criteria

Staff drafted the amended policy and is requesting Council discuss

the amendments and amounts for thresholds. Following a brief discussion, the following motion was made.

***Motion to approve to include thresholds of 25 years of service and \$1M in financial contributions respectively- Councilmember Walden; second by Mayor Pro Tempore Hughes; motion approved with a vote of 7-0.***

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20. Present, Discuss and Consider Action on a **Resolution to Elect a Suburban Cities' Representative to the Dallas Central Appraisal District Board of Directors.**

City Manager Pierson explained that the Dallas Central Appraisal District has 5 members on its Board of Directors representing the following groups:

- Dallas County
- City of Dallas
- Suburban Cities
- Dallas Independent School District
- Suburban School Districts

Additionally, John Ames, Dallas County Tax Assessor/Collector, is an ex-officio member.

Because there is no "at large" voting entitlement, an entity may vote only for candidates nominated for the position that represents that entity. For Addison, this is the Suburban City Representative. Each Suburban City was given the opportunity to make a nomination for this position. The deadline for this nomination by resolution was October 16, 2017. Addison did not submit a nomination.

The current Suburban City Representative is Michael Hurtt, who also serves as the Chairman of the Board, and has expressed interest in serving another term. The nominations for the 2018-2020 Suburban City Representative are:

- Brett Franks, nominated by the City of Sachse
- Mike Howard, nominated by the City of Irving
- Michael Hurtt, nominated by the cities of Desoto, Farmers Branch, Ovilla, and Richardson

It was noted that Michael Hurtt is experienced and the consensus of council was to cast their vote for him.

***Motion to vote for Michael Hurtt- Mayor Pro Tempore Hughes; second by Councilmember Angell; motion approved with a vote of 7-0.***

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21. Present, Discuss and Consider Action on a **Resolution to Appoint Christie Wilson as the Interim City Secretary.**

***Motion to approve- Mayor Pro Tempore Hughes; second by Councilmember Angell; motion approved by a vote of 7-0.***

***Meeting adjourned at 9:55 p.m.***

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Adjourn Meeting

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NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

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Mayor-Joe Chow

Attest:

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City Secretary Christie Wilson