

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

Tuesday, June 12, 2018
5:00 p.m. Executive Session & Work Session
7:30 Regular Meeting
Addison Town Hall, 5300 Belt Line Rd.,
Dallas, TX 75254

Present: Mayor Joe Chow; Mayor Pro Tempore Paul Walden; Deputy Mayor Pro Tempore Tom Braun; Councilmember Ivan Hughes; Councilmember Guillermo Quintanilla; Councilmember Lori Ward; Councilmember Marlin Willesen

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:

- **The ponds or lakes at Vitruvian Park located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek; and**

Section 551.072, Tex. Gov. Code, to deliberate the purchase, exchange, lease, or value of real property, pertaining to

- **Potential Development at Southeast Quadrant Of Addison Airport.**

Mayor Chow convened the City Council into Closed Executive Session at 5:15 p.m.

RECONVENE INTO REGULAR SESSION: 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.

Mayor Chow reconvened the City Council into Regular Open Session at 6:22 p.m. NO ACTION TAKEN.

WORK SESSION

Start: 6:30 p.m.

End: 7:32 p.m.

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3. Present and Discuss the **Results of Addison's Tourism Research Project.**

PRESENTATION - Director of Public Communications Mary

Rosenbleeth: The tourism industry around Addison is becoming more competitive every day with new hotels, shopping, districts, and conference facilities being built in the surrounding area. In order to promote the Town and our hotels, attractions and events, Staff presented the results of the tourism research project. The idea of creating a distinctive brand for Addison tourism was approved by Council in the FY 2018 Budget. The Town has had a relationship with Belmont Icehouse since 2015 for the Towns special event advertising with the agreement amended in November 2017 to include tourism marketing. **COUNCIL COMMENTS:** Present for action at a future council meeting.

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4. Present And Discuss **Council Liaison Opportunities and Appointments.**

PRESENTATION - City Manager Wes Pierson; Assistant to the City Manager Caitlan Biggs:

Historically, a series of liaison assignments have been made after the new council is onboard to keep the the Town connected with the various community organizations. Assignments are as follows:

- Addison Airport/ATTAC - Quintanilla, Walden;
- Addison Arbor Foundation - Walden;
- Addison Business Association - Chow;
- Addison Legacy Foundation - Chow, Walden;
- Community Partners Bureau - Ward, Willesen;
- Education - Braun;
- Finance Committee - Braun, Hughes, Willesen;
- Greater Dallas Regional Chamber - Ward;
- Metrocrest Chamber of Commerce - Braun, Hughes;
- Metroplex Mayors - Chow;
- North Dallas Chamber - Quintanilla, Ward;
- North Texas Commission - Braun;
- RTC/NCTCOG - Hughes;

- WaterTower Theatre - Braun;
- World Affairs Council - Chow, Hughes;
- Cotton Belt, DART, Texas Municipal League, Texas Municipal Retirement System - All Council.

NEW ASSIGNMENT: Cavanaugh Flight Museum - Willesen.

SUNSET COMMITTEES: Addison CARES, Athletic Club Master Plan, Special Studies, State and Federal Legislation, Sustainability/Recycling.

COUNCIL COMMENTS: Present for action at a future council meeting.

5. Present and Discuss the **Council Calendar for June, July, August, and September 2018.**

PRESENTATION - City Manager Wes Pierson: Staff requested direction from Council regarding the meeting dates for the June - September 2018 Council meetings. Pursuant to Code of Ordinances Chapter II -Administration, Article II-City Council, Division 2. Meetings, Section 2-46 (a). "Generally" states *'The city council shall hold a regular meeting on the second and fourth Tuesday of each month commencing at 7:30 p.m.; provided, however, that such time may be changed as necessary through the posting of the new time on the agenda.'* Historically, the second meeting in July has been canceled to provide more time for staff to prepare the City Manager's proposed budget. **COUNCIL DISCUSSION:** Council to forward dates they will be unavailable during these months to provide with Staff with enough information to establish the monthly calendar. **COUNCIL COMMENTS:** Staff to update calendar and publish for all participants.

REGULAR MEETING

Regular Meeting convened at 7:45 p.m.

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

City Manager Wes Pierson provided information regarding the various events and activities taking place in Addison for the month of June. NO ACTION TAKEN - information only.

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6. Administer **Oath of Office to Newly Appointed City Secretary Irma Parker.**

Newly appointed City Secretary Irma Parker joined Mayor Chow at the podium for the Oath of Office.

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.*

No citizens wished to address the City Council on a topic not on this agenda.

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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8. Consider Action to **Approve the Minutes from the May 22, 2018 City Council Meeting.**

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9. Consider Action to Approve a **Resolution to Amend the North Texas Emergency Communication Center (NTECC) Bylaws.**

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10. Consider Action to Approve a **Resolution for an Economic Development Program Grant Agreement with Spacee Umbrella Inc., and Authorize the City Manager to Execute the Agreement** in an Amount not to Exceed \$25,000.

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11. Consider Action to Approve a **Resolution Appointing Gary Slagel to a Two Year Term on the Dallas Area Rapid Transit (DART) Board of Directors.**
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12. Consider Action to Approve a **Resolution to Appoint a Voting Member and Alternative Representative of the Advisory Committee for the Trinity River Authority Central Wastewater Treatment System.**

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13. Consider Action to Approve a **Resolution for an Amendment to the Financial Plan and Rate Model Contract for Water and Sewer Utility Rates for the Town's Use with Raftelis Financial Consultants, Inc. (RFC)** in an Amount not to Exceed \$6,960.

Mayor Chow called for any requests to to remove any item from the CONSENT AGENDA for separate consideration. There were no such requests from Council; however, Mayor Chow requested to withdraw Item 11. DART Resolution for separate consideration. There being no other requests, Mayor Chow called for a motion.

MOTION: Mayor Pro-Tem Walden moved to adopt CONSENT AGENDA Items 9, 10, 12, and 13 as presented. Councilmember Ward seconded the motion. Motion carried unanimously.

Resolution No. R18-45: Amend the North Texas Emergency Communication Center (NTECC) Bylaws.

Resolution No. R18-39: Economic Development Program Grant Agreement with Spacee Umbrella, Inc.

Resolution R18-41: Appoint Jason Shroyer as a Voting Member and Lisa Pyles as the Alternative Representative of the Advisory Committee for the Trinity River Authority Central Wastewater Treatment System.

Resolution No. R18-42: Amend Financial Plan and Rate Model Contract for Water and Sewer Utility Rates for the Town's Use with Raftelis Financial Consultants, Inc. (RFC).

CONSENT AGENDA ITEM 11:

Mayor Chow introduced Mr. Slagel to the City Council. Mr. Slagel gave a brief synopsis of his experience and thanked the City Council for their continued support. He expressed that it has been an honor to serve the Town of Addison on the Dallas Area Rapid Transit (DART) Board of Directors.

MOTION: Councilmember Hughes moved to adopt CONSENT AGENDA Item 11. DART Resolution as presented. Deputy Mayor Pro-Tem Braun seconded the motion. Motion carried unanimously.

Resolution No. R18-40: Resolution Appointing Gary Slagel to a Two-Year Term on the Dallas Area Rapid Transit (DART) Board of Directors.

Regular Items

14. Hold a Public Hearing, Present, Discuss, and Consider Action on an **Ordinance Changing the Zoning on Property Located at 5290 Belt Line Road, Suite 100, East of Montfort Drive, Which Property is Currently Zoned Local Retail, by Approving a New Special Use Permit for a Restaurant with the Sale of Alcoholic Beverages for On-Premises Consumption Only, in Order to Allow an Expansion in Floor Area** Case 1777-SUP/Flower Child.

Mayor Chow opened the Public Hearing and called for any comments and/or questions from the audience. There were no requests to address the City Council. Assistant Director of Development Services Charles Goff addressed the City Council on Case 1777-SUP/Flower Child. This restaurant space, the former location of Pollo Tropical, is part of the Prestonwood Place shopping center, located at 5290 Belt Line Road and is currently zoned Local Retail-LR. The existing restaurant space, 3,722 square feet with a drive through component, was approved through a Special Use Permit in 2013.

Flower Child restaurant is a fast-casual concept cafe featuring organic, locally-sourced ingredients, with gluten-free, vegan, and paleo choices. The restaurant chain has nine existing locations across the country. There are currently three locations in Texas, two in Austin and one in Dallas, at Lovers Land and Inwood Road.

The applicant, Megan O'Malley, Fox Restaurant Concepts, is proposing to renovate the existing interior space and create additional outdoor patio spaces on the western side of the building, for a total area of 4,430 square feet. The interior dining space is 3,530 square feet and seats a total of 78 people, and the total outdoor patio space is 900 square feet and seats 50 people. Because the applicant is proposing to increase the total square footage of this restaurant space, this action requires a new Special Use Permit.

The Planning and Zoning Commission meeting in regular session on May 15, 2018 approved Staff's recommendation to approve rezoning the property, Case 1777-SUP/Flower Child - 5290 Belt Line Road, Suite 100, for a new Special Use Permit for a restaurant with the sale of alcoholic beverages for on-premise consumption only, in order to allow an expansion in floor areas with the following exception - the applicant shall not use any terms or graphic depictions that relate to alcoholic beverage in any exterior signage.

MOTION: Mayor Pro-Tempore Walden moved to adopt Ordinance changing Zoning of Case 1777-SUP/Flower Child, 5290 Belt Line Road, Suite 100 as presented. Councilmember Hughes seconded the motion. Motion carried unanimously.

ORDINANCE NO. O18-19: Amending Comprehensive Zoning Ordinance, repeal Ordinance No. O13-017 and grant a Special Use Permit for a Restaurant with Sale of Alcoholic Beverages for On-Premises Consumption at 5290 Belt Line Road, Suite 100 with exception(s).

15. Present, Discuss, and Consider Action on a **Resolution Amending The Town's Financial Policies.**

Chief Financial Officer Olivia Riley introduced this ordinance amendment to the Town's Financial Policies. She noted a scrivener's error on the agenda caption showing "Resolution"; however, this is actually an amendment the Code of Ordinances. Currently, the Town's financial policies only authorize the use of debt instruments for capital projects. These amendments would allow for the issuance of debt for major capital equipment such as certain vehicles and equipment like a specialty fire truck, in addition to capital projects. The amendments would also provide a clarification of the types of debt instruments that Council allows to fund capital projects and capital equipment. Staff recommends approval.

MOTION: Councilmember Ward moved to adopt the Ordinance amending the Town's Financial Policies as presented. Councilmember Quintanilla seconded the motion. Motion carried unanimously.

ORDINANCE NO. O18-20: Amending Chapter 2, Section 2-180 (a) (b) and (e) to provide for Issuance of Debt Instruments to Fund Capital Purchases and Include Tax Notes and Capital Leasing Arrangements as Allowed Debt Instruments.

16. Consider Action to Approve a **Resolution for a Professional Services Agreement with Pacheco Koch for the Design of the Addison Circle Park Fountain and Americans with Disability Act (ADA) Improvements, and Authorize the City Manager to Execute the Agreement** in an Amount not to Exceed \$75,400.

At the December 12, 2017 Meeting, Staff presented an extensive review of the issues related to the interactive display fountains at Addison Circle Park. During this presentation, Staff also provided a range of options from removing the fountains to modernization. At this meeting Council requested Staff to conduct additional research to include a cost/benefit analysis. On February 27, 2018 Staff presented the results of the analysis and Council directed Staff to move forward with Option 2B that includes the repair and modernization of the fountains and also the addition of a splash pad filtration.

During the March 27, 2018 Meeting Council approved a Resolution selecting Option 2B and directed Staff to proceed. Since making this presentation to Council, Staff has had subsequent discussions regarding the required Americans with Disability Act (ADA) improvements at the Pavilion and adjacent walks that will need to be addressed at the time of construction for the Fountain. Reconstruction of the Plaza and Fountain will require an ADA plan review and site inspection. This review will not only analyze compliance of the project modifications with ADA requirements but

will also look at compliance of the accessible route to the Plaza and of any adjacent support facilities. The adjacent Pavilion/Restroom Building would be considered a support facility and has several non-complying items that have been noted in the ADA plan. The walk that abuts the Plaza also exceed ADA minimum slope requirements and would need to be addressed during the renovation.

During the Request for Qualification process Pacheco Koch was selected to design the Addison Circle Park Fountain, including the required ADA improvements. The total estimated construction budget of \$658,200.00, which includes a 10 percent contingency, was approved at the February 2018 Council Meeting. Staff advised that once the design is completed a more accurate cost for construction will be presented.

The Resolution presented for Council consideration is an agreement not to exceed \$75,400.00 for additional design components. These funds were not budgeted in the FY 2018 Budget but will be addressed at a future meeting as a Budget Amendment. Funds are available in the Hotel Fund. Staff recommends approval.

MOTION: Deputy Mayor Pro-Tempore Braun moved to adopt Resolution approving a Professional Services Agreement with Pacheco Koch for the Design of the Addison Circle Park Fountain, ADA Improvements and authorize the City Manager to sign Agreement. Councilmember Hughes seconded the motion. Motion carried unanimously.

Resolution No. R18-43: Approving Agreement for Professional Engineering Services with Pacheco Koch Consulting Engineers, Inc. for Addison Circle Fountains and ADA Improvements.

17. Present, Discuss, and Consider Action on a **Resolution Appointing a Member to the Planning and Zoning Commission to Fill an Unexpired Term.**

Planning & Zoning Commissioner Denise Quintanilla was appointed to Place 4 of the Planning & Zoning Commission in November, 2017 for a 2-year term ending in December 2019. In May 2018, Ms. Quintanilla submitted her resignation to the Council which was accepted and approved by Resolution. Since Place 4 was a Councilmember Braun appointee, he nominated Robert E. Catalani to Place 4 of the Commission with his term expiring in December 2019.

MOTION: Deputy Mayor Pro-Tempore Braun moved to appoint Robert E. Catalani to Place 4 of the Planning & Zoning Commission to a term expiring in December 2019. Council Member Ward seconded the motion. Motion carried unanimously.

Resolution No. R18-44: Appointing Robert Catalani to Place 4 of the Planning & Zoning Commission for an Unexpired 2-Year Term Ending December 2019.

18. Present, Discuss, and Consider Action on the **Town's Relationship with the Addison Legacy Foundation.**

This item was placed on the Agenda at the request of Mayor Pro-Tempore Walden and Deputy Mayor Pro-Tempore Braun. City Manager Pierson presented historical information as to the creation of the organization established in June 2012 to provide a way for individuals, families and organizations to make tax-deductible contributions benefiting the Town of Addison. The Addison Legacy Foundation was able to leverage Communities Foundation of Texas (CFT) recordkeeping, investment and compliance expertise. Mr. Pierson advised that the Internal Revenue Service does allow for individuals to make tax deductible monetary donations individually directly to the Town without going through a 501 (c)(3) organization.

The affairs of the Foundation are managed by a Board of Directors made up of 6 to 11 members that include at least 3 resident of the Town, the Town's Mayor and Mayor Pro-Tempore and a CFT staff member. Board appointments are made by the Mayor and Mayor Pro-Tempore.

A lengthy discussion was held regarding continuing the Town's involvement in the governance of this organization. Although, previous actions have been well received, a question of perception and the actual need of the Town's involvement going forward was discussed.

MOTION: Council Member Quintanilla moved to amend the Funding Agreement with the Foundation by removing the Town as a Party. Council Member Ward seconded the Motion. Motion carried 4 to 3 with Quintanilla, Ward, Walden, Braun voting For; Chow, Hughes, Willesen voting Nay.

Meeting Adjourned at 9:04 p.m.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma Parker, City Secretary