

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

December 11, 2018

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

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

1. **Call Meeting to Order:** Mayor Chow called the meeting to order at 5:04 pm.

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2. **Closed (Executive) Session of the Addison City Council:** Pursuant to Section 551.074, Tex. Gov. Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, pertaining to:

- *City Manager Annual Evaluation*

Mayor Chow convened the City Council into Closed Executive Session at 5:05 pm.

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3. **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 Open Session at 7:07 pm. No action taken.

WORK SESSION

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4. **Present and Discuss Policy Guidelines Regarding the Town of Addison's Use of Data Obtained Through the License Plate Recognition System and Optical Cameras.**

Presentation: *City Manager Wes Pierson, Police Chief Paul Spencer* – Staff presented

guidelines for the License Plate Recognition (LPR) technology and optical camera pilot project. Before the Town goes live with the project, Staff wanted to give Council the opportunity to discuss the policy for the use and collection of this data to ensure that everyone understands the benefit and are not threatened about the use of the data being collected. COUNCIL COMMENTS: Staff will develop a policy and present for action at a future meeting.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

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5. **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 appeared before the City Council to address an item not on the 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.*

6. **Consider Action to Approve the November 27, 2018 Work Session and Regular Meeting Minutes.**
7. **Consider Action to Approve a Resolution for a Professional Services Agreement with Jacobs Engineering Group, Inc. for the Development of Costs Associated with the Street Projects that may be Proposed in a 2019 Bond Program and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$131,387.**
8. **Consider Action to Approve a Resolution for a Professional Services Agreement with Garver, LLC. for the Design, Bid and Construction Phase Services Associated**
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with the Water Chlorination Improvements Project and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$248,104.

9. **Consider Action to Approve a Resolution for a Contract Agreement for Turnkey Landscape & Irrigation Maintenance for Vitruvian Park, Surveyor Water Tower & Demonstration Gardens along with Medians on Spring Valley Road, Belt Line Road, Midway Road, Arapaho Road and Dallas Parkway Rights-of-Ways to Carruther's Landscape Management, Inc. and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$96,000.**
10. **Consider Action to Approve a Resolution Adopting the 2019 Legislative Priorities for the Town of Addison, Texas and Directing the City Manager or His Designee to Act with Regard to the Town's 2019 Legislative Priorities.**
11. **Consider Action to Approve a Resolution for the Purchase of One 2018 Frazer Ambulance, from Frazer Ambulance, Under the Town's Interlocal Agreement with Texas Local Government Purchasing Cooperative Known as Houston Galveston Area Council (HGAC) in an Amount not to Exceed \$271,636.74.**
12. **Consider Action to Approve a Resolution for the Purchase of Two 2019 Ford Interceptor SUVs, Four 2018 Ford 1/2 Ton Trucks, One 2019 Ford 2 Ton Truck, and Two 2019 Ford 1 Ton Trucks, from Sam Packs Five Star Ford, Under the Town's Interlocal Agreement with the Texas Local Government Purchasing Cooperative Known as Texas SmartBuy in an Amount Not to Exceed \$362,520.32.**
13. **Consider Action to Approve a Resolution for the Purchase of One 2018 Dodge Caravan and One 2018 Dodge 1 Ton Truck, from Dodge City, Under the Town's Interlocal Agreement with the Texas Local Government Purchasing Cooperative Known as BuyBoard in an Amount Not to Exceed \$55,377.**
14. **Consider Action to Approve a Resolution for the Purchase of Six Life Fitness Treadmills, and One Life Fitness Insignia Weight Circuit, from Life Fitness Under the Town's Interlocal Agreement with Texas Local Government Purchasing Cooperative Known as Texas Multiple Award Schedule (TXMAS) in an Amount to Not Exceed \$117,934.30.**

Mayor Chow called for any requests to remove an item from the Consent Agenda to discuss separately. There were no requests; therefore, Mayor Chow called for a motion to approve the Consent Agenda.

MOTION: Deputy Mayor Pro-Tempore Braun moved to approve CONSENT AGENDA Items 6-14. Council Member Ward seconded the motion. Motion carried unanimously.

Resolution No. R18-109: Street Projects 2019 Bond Program – Jacobs Engineering Group, Inc.

Resolution No. R18-110: Water Chlorination Improvements Project – Garver, LLC

Resolution No. R18-111: Landscape & Irrigation Maintenance Right-of-Way – Carruther's

Landscape Management, Inc.

Resolution No. R18-112: Town of Addison 2019 Legislative Priorities

Resolution No. R18-113: Purchase 2018 Frazer Ambulance –Houston-Galveston Area Council, Frazer Ambulance

Resolution No. R18-114: Purchase 9 Vehicles – Texas SmartBuy, Sam Packs Five Star Ford

Resolution No. R18-115: Purchase 2 Vehicles – BuyBoard, Dodge City

Resolution No. R18-116: Purchase 6 Treadmills, 1 Weight Circuit –Texas Multiple Award Schedule, Life Fitness

Regular Items

15. **Hold a Public Hearing, Discuss, and Consider Action to Approve an Ordinance Changing the Zoning on the Property Located at 4550 Excel Parkway, by Amending the Use Regulations of Planned Development (PD) District 085-073, as Previously Amended by Ordinances 095-054, 096-006, 099-025, and 007-007, to Allow the Production, Assembly, and Distribution of Spinal Fixation Systems. Case 1788-Z/CTL Medical.**

Assistant Director of Development Services Charles Goff introduced Case 1788-Z/CTL Medical. Mr. Goff explained that the property was originally zoned (Ordinance 85-73) as a Planned Development District (PD) which allows all uses permitted in the Commercial-1 district but does not include manufacturing of good and materials. In 2016, CTL Medical, a medical device design, development and production company, requested a Certificate of Occupancy. Their original application indicated “medical device” use; however, an error occurred with the facility permitted for “office” use.

In October 2018, CTL Medical applied for a permit to expand their operation, increasing the production space and moving the administrative functions to a new suite within the same building. Because of the processing error made in 2016, the existing use is considered nonconforming, and expanding the use would not be permitted. Therefore, to allow CTL Medical to expand their production operations, this property would need to be rezoned to allow for the use.

Mayor Chow inquired as to how this property use was missed in 2016. Mr. Goff acknowledged a mistake was made but that changes have been implemented to the review process to reduce the chance of similar mistakes in the future. Since this is a zoning request and requires a Public Hearing, Mayor Chow opened the Public Hearing for questions and/or comments from the Public. No requests to address the City Council were made. The Public Hearing was closed. The applicant was present to answer any questions.

MOTION: Mayor Pro-Tempore Walden move to approve as submitted. Council Member Hughes seconded the motion. Motion carried unanimously.

16. **Present, Discuss, and Consider Action on a Resolution for Appointments to the Community Bond Advisory Committee for a Potential November 2019 Bond Program Election.**

Director of Infrastructure & Development Services Lisa Pyles reported that at the November 27 council meeting, Staff summarized a bond process, role of an advisory committee, timeline for committee meetings and critical election dates should Council decide to hold a November 2019 Bond Election. Applications to serve on a Community Advisory Bond Committee were received from members of the community and were reviewed by Council for consideration.

Council Member Quintanilla inquired as to how many people were appointed to the previous Community Bond Advisory Committee. Ms. Pyles indicated that 43 had been previously appointed. Council Member Quintanilla also asked if that was enough people. Ms. Pyles advised that she was not working with the Town during the time that the last Community Bond Committee was appointed. There being no further questions and/or comments, Mayor Chow called on each member to appoint their four (4) nominees:

Mayor Joe Chow: Colleen Campbell, Mary Jo Cater, Jerry Dougan, Denise Quintanilla

Mayor Pro-Tempore Paul Walden: Kent Domingue, Darren Gardner, Brooks Haley, Susan Halpern

Deputy Mayor Pro-Tempore Tom Braun: Taylor Bowen, Chris DeFrancisco, Jimmy Niemann, Suzann Oliver

Council Member Ivan Hughes: Juli Branson, Margie Gunther, Edwin Keith, J.T. McPherson

Council Member Guillermo Quintanilla: Bruce Arfsten, Nancy Craig, Jason Rivera, Nancy Williams

Council Member Lori Ward: Robert (Bob) Catalani, Ralph Doherty, Liz Oliphant, Virginia Wallace

Council Member Marlin Willeesen: Lary Brown, Eileen Resnik, Craig Reynolds, Robert (Bob) Wright

MOTION: Council Member Ward moved to approve the Community Bond Advisory Committee members as submitted by Mayor and City Council. Deputy Mayor Pro-Tempore Braun seconded the motion. Motion carried unanimously.

Resolution No. R18-117: Community Bond Advisory Committee 2019 Bond Program Election

17. **Present, Discuss, and Consider Action on an Ordinance Approving a Boundary Adjustment Agreement with the City of Farmers Branch for a Portion of Midway Road from Spring Valley Road to the Addison City Limits Located North of W. Beltwood Parkway, Approving the Annexation of the Area Within Midway Road that is Released by the City of Farmers Branch, Approving a Service Plan for the Annexed Area and Approving an Easement for Utilities to the City of Farmers Branch for Utilities Lying Under the Exchanged Portion of Midway Road, and Authorizing the City Manager to Execute all Necessary Documents Related to These Matters.**

Director of Infrastructure and Development Lisa Pyles presented this Ordinance which includes a Boundary Adjustment Agreement, annexation of a portion of Midway Road, an annexation service plan and a utility easement with the City of Farmers Branch. Ms. Pyles explained that at the September 11, 2018 City Council meeting the City Council authorized the City Manager to execute agreements, in a final form approved by the City Attorney, with the City of Farmers Branch pertaining to the Ponds or Lakes at Vitruvian Park located within the vicinity and east of the intersection of Vitruvian Way and Ponte Avenue and Farmers Branch Creek.

The Boundary Adjustment Agreement is a result of that settlement agreement which will allow the Town to facilitate the reconstruction of Midway Road. In addition to approval of the Boundary Adjustment Agreement, Council was asked to approve the annexation of the area within Midway Road into the Addison Town Limits and the accompanying annexation service plan which is required by state law.

Council Member Hughes asked when this action would become effective. City Manager Pierson advised that this action would become effective when formally approved by the City Council. In addition, he reported that the City of Farmers Branch was acting on this agreement as well today. Mayor Chow commented that he believed this was a Win-Win issue for both communities. There being no further comments, Mayor Chow called for a motion.

MOTION: Council Member Hughes moved to approve item 17 as submitted. Deputy Mayor Pro-Tempore Braun seconded the motion. Motion carried unanimously.

Ordinance No. O18-44: City of Farmers Branch – Boundary Adjustment/Easement Agreement, Annexation area of Midway Road

18. **Present, Discuss, and Consider Action on a Resolution to Approve a Ground Lease Agreement with Black Forest Aviation RE, LLC, and a Resolution for a Public Fuel Dispensing License Agreement, for a Fixed Base Operator Development at the southeast corner of Addison Airport, adjacent to Addison Road and Authorize the City Manager to Execute the Agreements.**

Airport Director Joel Jenkinson presented this Ground Lease Agreement and Aviation Bulk Fuel Dispensing License Agreement with Black Forest Aviation RE, LLC doing business as Galaxy FBO Holdings, LLC. A brief history of this project was presented. Highlights of the project details and the terms of the 40-year lease agreement between the Town and Black Forest Aviation RE, LLC and the Public Fuel Dispensing License Agreement with Galaxy FBO Holdings, LLC were presented for Council consideration.

Council Member Willesen asked if the project would be done in one phase or multiple phases. Mr. Jenkinson responded that the intent is for the project to be done in a single phase. Mayor Chow asked Jonathan Hitchcock with Black Forest when they planned on starting the project. Mr. Hitchcock stated that they have already begun work on the planning phase (engineering, environmental, architectural) and they anticipate obtaining construction permits within six months. Mayor Chow also asked about the future of the Collins Hangars. Mr. Hitchcock stated

that Collins hangars will be demolished, and that the approval of the lease would serve as a six-month notice to the tenants that they will have to relocate.

Deputy Mayor Pro-Tempore Braun inquired about the Town being required to mitigate any environmental issues related to the site as a part of the ground lease. Staff responded that the Town is responsible for any environmental mitigation, but it is believed that such mitigation is likely to be minor in nature. Staff is awaiting results of a phase 2 environmental report to determine what mitigation would be required.

City Manager Pierson mentioned that the Town's expectations that the future development be aesthetically pleasing and appropriately integrate with the surrounding environment have been communicated to the Black Forest. Mr. Hitchcock acknowledged as much and communicated Black Forest's intent to create an aesthetically pleasing development that both they and the Town can be proud of.

MOTION: Mayor Pro-Tempore Walden moved to approve item 18 as presented. Council Member Ward seconded the motion. Motion carried unanimously.

Resolution R18-118: Ground Lease Agreement – FBO Black Forest Aviation RE, LLC

Resolution R18-119: Public Fuel Dispensing License Agreement – Galaxy FBO Holdings, LLC

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19. **Present, Discuss and Consider Action on an Ordinance Authorizing the Issuance of Town of Addison, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2018 in the Approximate Aggregate Principal Amount of \$13,500,000 to Fund the Construction of a New Building for U.S. Customs and Border Patrol and Airport Administrative Offices and Various Water and Wastewater Capital Improvement Projects.**

CFO Olivia Riley introduced the proposed ordinance for Council consideration. Hilltop Securities Managing Director Nick Bulaich updated the City Council on the bids received for the Series 2018 bonds. He advised that Moody's Investors Service upgraded the Town to a 'Aaa' rating, making the Town only one in 10 cities in Texas to hold this designation. S&P Global Rating affirmed its 'AAA' long-term rating. Both organizations based these designations on the Town's history, high level of reserves supported by conservation budgeting, growing tax base, affordable debt and pension along with the demonstrated good governance my multi-year capital and financial planning. A total of seven bids were received with BOK Financial Securities, Inc. being the winning bidder at a true interest cost of 3.302979%.

The Series 2018 Certificate of Obligation Bonds include \$7,000,000 earmarked for construction of the U.S. Customs and Boarder Protection Federal Inspection Station to be combined with the Airport Administration offices at 4545 Jimmy Doolittle. This portion of the debt will be funded through airport operating revenues. A total of \$6,500,000 of the Bond proceeds will be used to fund water and wastewater capital projects to improve or maintain our existing infrastructure. This portion of the debt will be funded utility rate revenues.

MOTION: Council Member Hughes moved to approve as submitted. Council Member Ward

seconded the motion. Motion carried unanimously.

Ordinance No. O18-45: Series 2018 Combination Tax & Revenue Certificates of Obligation

Adjourn Meeting

There being no further business to come before the Council, Mayor Chow adjourned the meeting.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma G. Parker, City Secretary