

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

January 22, 2019

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254
6:00 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; and, Council Member Marlin Willesen

1. **Call Meeting to Order:** Mayor Chow called the meeting to order at 6:00 pm.

WORK SESSION

2. **Present and Discuss the Council Calendar for February through May 2019.**

Presentation: Wesley Pierson, City Manager – Staff requested direction regarding the Council meeting dates for February through May. The Code of Ordinances requires that a regular meeting of the Council be held on the second and fourth Tuesday of each month commencing at 7:30 pm; however, the time may be changed as necessary through the posting of a new time on the agenda. The following meeting date changes and additions were made:

FEBRUARY: 2/12 Council Meeting was Re-scheduled for 2/7

2/26 Council Meeting was Re-scheduled for 2/20

MARCH: No changes were proposed for the Council Meetings on 3/12 and 3/26
Tentative Date - 3/14 Economic Development Strategic Plan Meeting

APRIL: No changes were proposed for the Council Meetings on 4/9 and 4/23
Addition: 4/15 Spring Town Meeting

MAY: *Tentative Date* - 5/14 Official Canvass of the May 4th General Election
5/31 – 6/2 Taste of Addison

OTHER: *TBA* - Special Unified Development Code Workshop Joint Meeting of the City Council and Planning & Zoning Commission

3. **Present and Discuss the Appointment Process for the Town's Vacant Alternate Judge Position.**

Presentation: *Passion Hayes, Director of Human Resources; Municipal Court Judge Larry Dwight* – The Town has one Municipal Court Judge and two alternates who were re-appointed for a 2-year term in December 2018. An overview of the timeline for appointing a second alternate judge after the resignation of Alternate Judge Thaddeus Iwuji was presented and discussed. The Job Posting will be advertised. The top candidate resumes will be provided to Council at the February 20th meeting date. Interview and appointment dates will be March 12th and March 26th respectively. COUNCIL COMMENTS: Council expressed thanks.

4. **Present and Discuss Potential Regulations Regarding Short Term Housing Rentals.**

Presentation: *Charles Goff, Assistant Director of Development Services* – This item was requested by Mayor Pro-Tempore Walden and Council Member Quintanilla. Staff determined that there are typically between 10 and 20 properties in Addison listed on Airbnb, VRBO®, and HomeAway™. Currently the Town does not regulate short-term rentals and does not collect hotel occupancy taxes for short-term rentals. A summary of short-term housing rental requirements enacted by metroplex cities was discussed. These typically include tracking, regulating and/or collecting hotel occupancy taxes.

The City Council of Grapevine passed an ordinance that banned short-term rentals in the corporate city limits and recently instructed staff to proceed with enforcement. A lawsuit was filed by multiple local property owners challenging the ordinance. In November of 2018, a State District Court issued a temporary injunction against Grapevine stating the ban constitutes a hardship on property owners. This case is expected to go to trial on April 15, 2019. Council was presented detailed information on the City of Coppell's actions to authorize the collection of hotel occupancy taxes and regulate short-term rentals in their community.

Staff asked for direction from Council to: (1) proceed to develop regulations for short-term rentals by a registration process like the City of Coppell and/or (2) amend the hotel occupancy tax ordinance to enable collection of tax revenue. COUNCIL COMMENTS: Council asked staff to establish registration requirements for short-term rentals and to collect the hotel occupancy taxes like City of Coppell but not to pursue an inspection requirement. It was recommended that a sunset clause be included in the proposed ordinance developed by Staff. Additionally, District Court lawsuit and State Legislature actions will be monitored by Staff and reported at a future meeting for council information.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

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 and requested to address the City Council on a topic 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 January 8, 2019 Work Session and Regular Meeting and January 10, 2019 Special Meeting Minutes.**
7. **Consider Action to Approve the First Quarter Update from the Finance Committee to the City Council for the Period from October 2018 to December 2018.**
8. **Consider Action to Approve a Resolution Accepting the Resignation of Matthew Horine from the Board of Zoning Adjustment.**
9. **Consider Action to Approve a Resolution Approving an Agreement for Street Lighting Service with Oncor Electric Delivery Company, LLC. for Street Lighting within the Town of Addison and Authorize the City Manager to Execute the Agreement.**
10. **Consider Action to Approve a Resolution Approving an Agreement with LOD, LTD, d/b/a Lawnscape of Dallas for Annual Mowing of Town Facilities, Various Rights-of-Way and Beautification Areas and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$110,696.71.**

Mayor Chow called for any requests to remove any item from the Consent Agenda to discuss separately. There were no requests to remove an item for separate discussion and action; however, Deputy Mayor Pro-Tempore Braun had a question about Item #10. He asked if the mowing contract was for mowing of Town owned property throughout the Town or if there were other mowing contracts. Parks & Recreation Director Janna Tidwell reported that there were a few special mowing contracts, in addition to this proposed contract, which consist of medians

that would be addressed in another contract. There being no further questions or comments, Mayor Chow called for a motion.

MOTION: Mayor Pro-Tempore Walden moved for approval. Council Member Ward seconded the motion. Motion carried unanimously.

Resolution No. R19-005: Board of Zoning Adjustment - Matthew Horine resignation

Resolution No. R19-006: Street Light Service Agreement – Oncor Electric Delivery Co., LLC

Resolution No. R19-007: 2019 Town Mowing Service – LOD, LTD., dba Lawnscape of Dallas

REGULAR ITEMS

11. **Present, Discuss and Consider Action on a Resolution Approving a Contract with Rodney Hand Associates Marketing Communications, LP for Advertising in Addison - The Magazine of the North Dallas Corridor and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$90,000.**

Mary Rosenbleeth, Director of Public Communications, presented the Rodney Hand Associates Marketing Communications contract for Council consideration.

The contract is a reduction in the scope and price from the existing contract. This contract would require a Visitors' Guide to be distributed to the current 36 hotels featuring almost 8,000 hotel rooms two times per year with targeted publish dates of April and October. A Digital Issue of the Visitors' Guide will be published at the same time as the print issue. The Addison Magazine Website, which has an average of 25,000 visitors per month, will be updated every two weeks and Addison businesses will be given advertising space each month on the home page, as well as each of the category pages. An E-News Publication will be produced and distributed at a minimum of every two weeks. Their editorial focus will be on items related to Addison tourism i.e. restaurant specials, live musical entertainment, and events. Future editions will include fewer 'lifestyle' oriented topics. The current Addison Magazine E-News has 24,000 subscribers.

The services that are offered by Mr. Hand achieves the Town's tourism goal of having an Addison-branded publication in local hotel rooms. A new approach of reaching our target audience is consistent with a changing market and reduced funding. Addison Magazine's proposal included not only delivery to Addison hotels, but also included an additional 13 hotels along the North Dallas corridor. They will replace worn out copies between printings and audit the magazine placement. The magazine will no longer be delivered to residents and business, but an electronic version will be available on-line for those interested.

MOTION: Council Member Hughes moved to approve Item #11 as submitted. Council Member Willesen seconded the motion. Motion carried unanimously.

Resolution No. R19-008: Advertising in Addison-The Magazine of North Dallas – Rodney Hand Associates Marketing Communications, LP

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12. **Present, Discuss and Consider Action on a Resolution to Authorize an Interfund Loan from the Infrastructure Investment Fund to the Airport Fund for the Purchase of an Airport Rescue Fire-Fighting Apparatus, Under the Town's Interlocal Agreement with the Texas Local Government Purchasing Cooperative Known as the Houston Galveston Area Council (HGAC) in an Amount Not to Exceed \$700,000.**
 13. **Present, Discuss and Consider a Resolution to Authorize the Purchase of One (1) 2019 Rosenbauer Panther Aircraft Rescue Firefighting Apparatus from Daco Fire Equipment, Under the Town's Interlocal Agreement with the Texas Local Government Purchasing Cooperative Known as the Houston Galveston Area Council (HGAC) in an Amount Not to Exceed \$700,000.**

Mayor Chow opened discussion reading both Agenda Headers for Item #12 and #13 as they were related issues. He advised that action would be taken separately on each Item.

Chief Financial Officer Olivia Riley presented this item for Council action to authorize a loan from the Infrastructure Investment Fund (IIF) to the Airport Fund for the purchase of a 2019 Rosebauer Panther Aircraft Rescue Firefighting Apparatus from Daco Fire Equipment. This loan is authorized in the Code of Ordinance's Finance Policy. Staff proposed the Airport Fund pay back these funds to the IIF in five (5) years plus interest estimated to be around 2.75%. The interest represents the amount of money that the IIF would have earned during that five-year time-period on \$700,000.

City Manager Pierson reported that during the budget process, Staff proposed to lease this vehicle. Accordingly, the Airport Budget included a \$85,000 lease payment for this vehicle. After review of the 10-year lease agreement, it was discovered that it was a lease-purchase agreement that required purchase of the vehicle at the end of the lease. Staff determined that purchasing the vehicle outright would be more cost effective. Once the loan from IIF is repaid, a transfer to the Capital Equipment Replacement Fund from the Addison Airport will be scheduled in future operating budgets for the future replacement of this equipment.

Council Member Hughes commented that he supported Staff's recommendation for the IIF to loan funds to the Airport Fund. He stated he knew that the Council could not act on his suggestion since it was not a posted agenda item. However, he hopes and fully expects that when the Black Forest Aviation Lease is fulfilled, and the Airport receives the \$1,000,000 payment that this loan be repaid then rather than being paid over 5 years. City Manager Pierson advised that when the funds are received from Black Forest Aviation Council will be able to discuss how to use those funds as an agenda item during a Council Meeting.

MOTION: Council Member Hughes moved to approve Item #12 as submitted. Deputy Mayor Pro-Tempore Braun seconded the motion. Motion carried unanimously.

MOTION: Mayor Pro-Tempore Walden moved for approval of Item #13. Council Member Willesen seconded the motion. Motion carried unanimously.

Resolution No. R19-009: Interfund Loan of \$700,000 + interest – Infrastructure Investment to Airport Fund for purchase fire-fighting apparatus

Resolution No. R19-010: Houston-Galveston Area Council (HGAC) - purchase 2019 Rosenbauer Panther Aircraft Rescue Firefighting Apparatus in amount of \$700,000

14. **Present, Discuss and Consider Action on a Resolution for the First Amendment to the Consolidated Public Safety Communications and Dispatch Operations Agreement with the City of Carrollton, City of Coppell, City of Farmers Branch and the North Texas Emergency Communications Center, Inc. (NTECC) Relating to Operations and Funding of the NTECC Consolidated Public Safety Communications Center and Authorize the City Manager to Execute the Agreement.**

Deputy City Manager Ashley Mitchell presented the first amendment to the North Texas Emergency Communications Center, Inc.'s (NTECC) Agreement. The NTECC entered into an agreement with member cities in 2015 for a joint dispatch service. Because of implementation delays, NTECC board members, consisting of city managers from the member cities, determined that Section 4.02 needed to be amended to account for the delay. Section 4.02 provides for the allocation of each Cities' share of NTECC budget. The amendment updates the timeline for implementing a use-based cost allocation beginning on October 1, 2020. The Town currently pays approximately \$1.2 million annually for NTECC services. Deputy Mayor Pro-Tempore Braun remarked that this cost was far less than what it would cost each of the member cities if they had standalone dispatch centers.

City Manager Pierson stated that this joint agreement is successful with all cities working together with mutual aid as needed. Mayor Pro-Tempore Walden inquired if mutual aid is also being conducted between the individual police departments. Police Chief Spencer advised that all member cities were working together successfully. Fire Chief Jones concurred.

MOTION: Council Member Willesen moved to approve. Council Member Quintanilla seconded the motion. Motion carried unanimously.

Resolution No. R19-011: Amendment #1 to 2015 NTECC Agreement – Section 4.02 Funding

15. **Present, Discuss, and Consider Action on a Resolution to Appoint a Member to the Board of Zoning Adjustment to Fill an Unexpired Term.**

Charles Goff, Assistant Director of Development Services, advised that Mr. Matthew Horine had been nominated for appointment to the Board of Zoning Adjustment (BOZA) by Council Member Hughes in November 2017 for a two-year term beginning January 2018 and ending on December 31, 2019. Mr. Horine notified Staff that he was moving and therefore had to resign his position on the BOZA. In earlier action Council accepted Mr. Horine's resignation. Since

this is Council Member Hughes' appointee, he was notified and given the opportunity to appoint an individual of his choice. Council Member Hughes addressed the City Council and presented the name of Lesli Gray to fill the vacant position for the remainder of the term expiring in December 31, 2019.

MOTION: Council Member Hughes moved to appoint Lesli Gray to fill the Unexpired Term. Council Member Ward seconded the motion. Motion carried unanimously.

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