

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION & REGULAR SESSION

January 28, 2020

**Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254
6:00 p.m. Work Session
7:30 p.m. Regular Meeting**

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

- Call Meeting to Order:** Mayor Chow called the meeting to order.

WORK SESSION

- Present and Discuss Planned Oncor Transmission Tower Replacements and the Potential Impacts to The Redding Trail.**

Janna Tidwell, Director of Parks and Recreation presented this item. She advised that Oncor is preparing to begin a 1.3-mile transmission tower replacement that will impact the cities of Carrollton, Farmers Branch, and Addison. Oncor's goal for the area surrounding the towers is to bring it closer to complying with their current Hike and Bike Trail Guidelines. Addison's use of the land under the current transmission lines is established by license agreements with Oncor that predate the current Oncor Hike and Bike Trail guidelines.

Ms. Tidwell provided an overview of the project and the impacts to the Town of Addison, which include removal of trees, shrubs, berms and signage. Ms. Tidwell explained that staff discussed the Town's concerns about these impacts as well as the use of the Redding Trail Dog Park, restoration of damaged landscaping and irrigation, and loss of use of the Redding Trail walking path during construction. Oncor responded with an offer to repair the irrigation and turf, and to allow use of one-half of the dog park during construction. Specific details as to the locations for removal of trees and pruning of others not to exceed 15-feet were provided. Other matters included vegetation around the towers, seating areas, bollards, removal of a fence near the dog park and

relocating a monument plaque. Ms. Tidwell explained that Town staff has been working with Oncor representatives to maintain the Redding Trail area in its existing state as much as possible. She also explained that those discussions are ongoing.

Oncor representative Kita Hobbs described the towers that will replace the existing towers and the heights of the towers and lines. She stated that the area under the transmission lines has been maintained very well by the Town of Addison and she is aware of the importance of the trail area to the community. She reviewed Oncor's plans to communicate with the residents in the area along the trail prior to beginning and during construction. The project will begin in July 2020 with expected completion in November 2020.

COUNCIL COMMENTS: There was a brief discussion that it may be a good time to upgrade the dog park. It was also noted that the master plan for the trail is a connection to the Midway Road trail, however a separate agreement needs to be entered into with Oncor. Several Council members expressed the importance of this area to the Town and asked that the integrity of the area be maintained.

3. Present and Discuss Fees for Environmental Health Related Permits, Licenses, and Inspections.

Charles Goff, Director of Development Services advised that the Town charges a variety of fees for Environmental Health related functions. These fees cover the costs of various activities such as food services licensing and inspections including mobile food vendors, liquid waste hauler licensing and inspections, temporary and special events, and public and semi-public pool inspections. These fees were last reviewed and increased in 2010. During the Fiscal Year (FY) 2020 budget process, staff discussed establishing new fee amounts and using the associated revenue increases to fund a new Senior Environmental Health Specialist to assist with the Town's Environmental Health related functions. These fee amounts were assumed in the adopted FY 2020 budget and the Senior Environmental Health Specialist has been hired. When the fees were brought forward for adoption, the Council requested to hold additional discussion.

Staff conducted a review of the fees charged by comparison cities and found that the fees currently charged by the Town are much lower. The program cost recovery is currently at approximately 20 percent and the proposed new fee amounts bring that up to 38 percent. To establish new fee amounts, staff determined the average of our comparison cities and established new fee amounts that are higher than what is being charged currently, but in most cases are at approximately 90 percent of the average. The proposed fee amounts are anticipated to create approximately \$61,725 in new revenue each year, not including temporary or special event fees.

Mr. Goff advised that the comparison cities use different methods for establishing the fees assessed. While some use square footage or number of employees to determine fee amounts, most use restaurant type and processes. One city charges a flat fee. Addison currently bases its fees on number of employees. Mr. Goff explained that in some instances, smaller restaurants with more complicated processes may be charged more than larger restaurants under the proposed fee schedule. He also explained the differences between fees charged for full-service hotels and

limited service hotels, noting that hotels with multiple food services areas pay an annual fee for each area. Feedback from Council was requested to determine which method should be used to establish new fees, and what percentage of cost recovery is desired.

COUNCIL COMMENTS: Mayor Chow expressed that a hybrid version or blend of the way fees are assessed should be considered. He advised that he does not feel a very small business should be charged more than a larger business. Mayor Chow also advised that he would abstain from voting on this matter since he is a restaurant owner in Addison. Deputy Mayor Pro Tempore Ward expressed a concern that the proposed increase for mobile food truck inspections is too high and would impact a small business such that they may not want to come to Addison. Council Member Walden noted that he is okay with a 38 percent cost recovery based on the amount of inspection time required. Council Member Hughes stated he is okay with basing fees on a hybrid process at 90 percent of the average. Council Member Willesen voiced that he would agree with basing the fees on number of employees. Council Member Quintanilla inquired which of the comparison cities was most similar to Addison.

Following discussion, City Manager Wes Pierson summarized that the Council consensus is to target the cost recovery at 38 percent, and that 90 percent of the comparison cities' average is acceptable. Revisions to the fee schedule to reflect a potential hybrid version will be prepared for additional Council conversation.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Public Comment: *The City Council invites citizens to address the City Council on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to **three (3) minutes**, unless otherwise required by law. To address the Council, please fill out a **City Council Appearance Card** and submit it to a staff member prior to the Public Comment item on the agenda. The Council is not permitted to take any action or discuss any item not listed on the agenda. The Council may choose to place the item on a future agenda.*

Resident Joseph D'Costa spoke regarding the Fire Department recognitions (during Announcements), and suggested the Council adopt a resolution commending them. He advised he has support for this request from other residents.

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.

4. Consider Action on the Minutes of the January 14, 2020 City Council Meeting.

(This item pulled from Consent Agenda by Council Member Willesen for separate discussion.)

5. Consider Action on a Resolution to Approve an Events Agreement Between the Town of Addison and DCO Realty, Inc. for the Management, Operation, Coordination, and Control of a Variety of Events at Vitruvian Park, and Authorize the City Manager to Execute the Agreement in an Amount Not to Exceed \$185,000.

6. Consider Action on a Resolution to Approve a Grant Funding Agreement Between the Town of Addison and Outcry Theatre, Inc. and Authorize the City Manager to Execute the Grant Funding Agreement in an Amount Not to Exceed \$5,000.

(This item pulled from Consent Agenda by Council Member Willesen for separate discussion.)

7. Consider Action on a Resolution to Approve a Contract Agreement with Joe Funk Construction Inc., for the Construction of the Oaks North Drive Drainage Improvements Along Oaks North Drive, and Authorize the City Manager to Execute the Agreement in an Amount Not to Exceed \$494,812.70.

(This item pulled from Consent Agenda by Council Member Quintanilla for separate discussion.)

8. Consider Action on a Resolution to Approve Agreement with Pyro Shows of Texas, Inc. for Fireworks Display Services for Addison Kaboom Town! and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$75,000.

Mayor Chow asked if there were any requests to remove an item from the Consent Agenda for separate discussion. Council Member Willesen requested to remove Item Numbers 4 and 6. Council Member Quintanilla requested to remove Item Number 7.

Mayor Chow called for a motion to approve the remaining Consent Agenda Items 5 and 8 as submitted.

MOTION: Mayor Pro Tempore Braun moved to approve Consent Items 5 and 8. Deputy Mayor Pro Tempore Ward seconded the motion. Motion carried unanimously.

Regarding Consent Agenda Item Number 7: Lisa Pyles, Director of Public Works and Engineering Services provided details regarding the proposed drainage improvements on Oaks North Drive. Council Member Quintanilla had questions as to how this construction project will be managed in order to avoid the same type of challenges that arose around another recent similar project. Ms. Pyles responded and said that the stormwater inspectors and other responsible staff are empowered to stop the work should any issues arise until the issues are resolved. She added that all information needed is included in the contractors notes and will be discussed as part of the a pre-construction meeting. Ms. Pyles recently provided information and answered questions at the Oaks North HOA meeting. Town staff and the contractor will work to notify residents of the impacts of construction on the neighborhood. The project should start mid-February and end approximately mid-May.

MOTION: Council Member Quintanilla moved to approve Item 7. Council Member Hughes seconded the motion. Motion carried unanimously.

Regarding Consent Agenda Item Number 6: Council Member Willesen advised he is concerned that the criteria stated in the Resolution is not being met entirely by this agreement. Specifically, he said that not all productions are held in Addison and that there is no requirement that theater scholarship recipients be Addison residents. Council Member Willesen would like to table the item to possibly revise the agreement. Deputy Mayor Pro Tempore Ward spoke in response saying that she is not in favor of tabling and provided her reasons for going forward. It was discussed that there has already been a delay in approving the agreement. Mayor Chow said that Council can discuss non-profit agreements in a future work session to determine if changes to the standard agreement should be made.

MOTION: Council Member Willesen moved to table Item 6. Council Member Hughes seconded the motion. Motion failed with the following vote:

Aye: Council Members Willesen, Hughes and Walden

No: Mayor Chow, Deputy Mayor Pro Tempore Ward, Mayor Pro Tempore Braun, and Council Member Quintanilla

MOTION: Deputy Mayor Pro Tempore Ward moved to approve Item 6 as presented. Council Member Quintanilla seconded the motion.

Prior to the vote Council Member Quintanilla stated that he feels delaying this grant would be penalizing the organization and is in favor of approving. Council Member Hughes explained the reasons that he voted in favor of tabling this matter was to allow further discussion however, he is also voting in favor of approving it. Council Member Willesen stated that he is not opposed to this organization operating a theater in Addison.

Following the remarks, the motion was approved with a vote of 6 to 1. Council Member Willesen voted no.

Regarding Consent Agenda Item Number 4: Council Member Willesen stated that he disagrees with some of the language included in the January 14, 2020 minutes, specifically Council

Comments on Work Session Item 4 regarding this sentence: “It was stated that the document is sufficient as is, but that elements of the Council’s discussion be kept in mind as more detailed plans are developed.” He made a motion to change the word “Council’s” to “ULI’s” because he felt there was not a consensus from the Council about the Vision and Guiding Principles document. Several Council members spoke in disagreement of the change. Council Member Willesen’s motion did not receive a second.

MOTION: Council Member Hughes moved to approve Item 4 as presented. Deputy Mayor Pro Tempore Ward seconded the motion. Motion carried with a vote of 6 to 1. Council Member Willesen voted no.

Resolution No. R20-006 (Item #5): DCO Realty, Inc. Events Agreement

Resolution No. R20-007 (Item #6): Outcry Theatre, Inc. Grant Agreement

Resolution No. R20-008 (Item #7): Joe Funk Construction, Inc. Oaks North Dr. Drainage

Resolution No. R20-009 (Item #8): Pyro Shows of Texas, Inc. Fireworks Kaboom Town

Regular Items

9. **Present and Discuss the Planning and Zoning Commission Annual Report for 2019.**

Planning and Zoning Commission Chair Kathryn Wheeler presented the Annual Report that is required by Addison’s Code of Ordinances. She provided an overview of the report that includes the number and type of cases the Commission reviewed during 2019. She also provided an attendance report for the Commission members.

10. **Present, Discuss, and Consider Action on a Resolution to Approve a Contract Agreement Between the Town of Addison and Artistic Painting Company, Inc for Annual Painting Services for the Town of Addison Buildings and Structures and Authorize the City Manager to Execute the Agreement in an Amount Not to Exceed \$150,807.**

Janna Tidwell presented this item. She advised this item is to award an annual bid for painting arbors, fences, benches, trash cans, light poles and signal poles. She reviewed a breakdown of the funds specified for parks and beautification areas, Addison Circle Park and Town Park, and streets and right-of-way areas. She added that the work is performed on an as-needed basis.

The request for bids opened March 12, 2019. Only one bid was received from Artistic Painting Company. Ms. Tidwell noted that Addison has had painting contracts with this company before and has a good working relationship with them.

MOTION: Council Member Hughes moved to approve Item 10 as presented. Mayor Pro Tempore Braun seconded the motion. Motion carried unanimously.

Resolution No. R20-010: Artistic Painting Company Annual Painting Contract

11. Present, Discuss, and Consider Action on the Structure of the Management, Operation, and Real Estate Services of Addison Airport, the Early Termination of the Current Operations and Maintenance Contract, and the Payment of an Early Termination Fee of \$42,500.

Lisa Pyles, Director of Public Works and Engineering Services presented this item. She reminded the Council that currently the airport is managed by two contracts. Real estate services are contracted through SAMI with a contract that expires September 30, 2020. Operations and Maintenance is managed by AECOM with a contract that expires September 30, 2022. She advised that Brad White, Vice President of AECOM Operations and Maintenance was in attendance.

Ms. Pyles reviewed that in 2019 the Town contracted with consultant Dan Benzon of Landrum & Brown to review the airport management and operations structure and current contracts. Ms. Pyles provided the terms of each contract, including the associated cost. Ten employees at the airport are provided through the AECOM contract. Options for the Town to consider were presented that include renewing or renegotiating the existing contracts, rebidding the contracts, or in-sourcing the operations. A comparison of the cost of current AECOM and SAMI personnel versus the cost if they were Town employees was presented and indicated a cost savings. It was noted that the contract employees at the airport have not voiced any disagreement with possibly becoming Town employees.

Staff's recommendation is to re-do the SAMI contract for real estate services with the responsibility for revenue collection and disbursement becoming the responsibility of the Town Finance Department. Staff also recommends terminating the AECOM contract on September 30, 2020, which would result in the Town paying an early termination fee of \$42,500. Employment offers would be made to the airport operations staff in good standing, including the Airport Director. Council was asked whether they agree with staff's recommendations regarding the SAMI and AECOM contracts. There was general agreement with the recommendations.

Mr. White was given the opportunity to address the Council. He spoke on behalf of the Town keeping its contract with AECOM. He also provided general information on his company. An offer to discount AECOM's management fees was discussed.

MOTION: Deputy Mayor Pro Tempore Ward moved to approve staff's recommendations in Item 11. Council Member Walden 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