

DRAFT

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

June 23, 2020

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

The Addison City Council, using electronic medium, conducted its Regularly Scheduled Meeting on Tuesday, June 23, 2020. The meeting was not conducted at Town Hall. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. Members of the public were entitled to participate; detailed instructions were provided, and the meeting was live streamed on Addison's website at www.addisontexas.net.

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

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

Mayor Chow led the Pledge of Allegiance.

2. **Closed (executive) session of the Addison City Council pursuant to:**

- **Section 551.072, Tex. Gov. Code, to deliberate the purchase, exchange, lease, or value of real property, pertaining to:**
 - **Ground Lease Agreement Between the Town of Addison and Mercury Air Center – Addison, Inc.**
- **Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) 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:**
 - **Potential Changes to the 2020 Kaboom Town! Event.**

Mayor Chow Closed the Open Session to convene the City Council into Closed Executive Session at 6:04 p.m.

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 9:09 p.m. It was noted that due to technical difficulties, the start of the Open Session was delayed. Mayor Chow called for any action to be taken from the Closed Executive Session.

MOTION: Council Member Hughes moved to direct staff to modify Kaboom Town as discussed in Executive Session. Mayor Pro Tempore Ward seconded the motion. Motion passed with a vote of 5-2. Councilmembers Willeesen and Walden voted against.

WORK SESSION

4. **Present and Discuss Any Action Necessary or New Information Regarding the COVID-19 Pandemic.**

City Manager Wes Pierson advised that on June 16, 2020 Governor Greg Abbott and Executive Vice Chancellor for Health Affairs of the University of Texas (UT) System John Zerwas, M.D. provided an update on Texas' hospital capacity. The Governor noted that despite an uptick in positive cases, there continues to be abundant hospital capacity. Later that week, the Governor provided a clarification that county and city officials could require masks be worn in businesses and require businesses to have a health plan for employees and customers. On Friday, June 19th the Dallas County Commissioners Court ordered that face coverings are required for businesses and that each business' health policy must be posted in a visible location. Failure of businesses in Dallas County to develop such a plan within five days may result in a \$500 fine. Mr. Pierson advised that Addison businesses have been notified and encouraged to adhere to the order. Today (June 23rd) Governor Abbott issued a proclamation allowing local authority (mayors and counties) to ban outdoor gatherings of over 100 people (previously over 500 people.) The Governor ordered the Texas Health and Human Services Commission to enact emergency rules for childcare centers that provide strict health and safety standards for the centers. Mr. Pierson added that the virus is still circulating, and everyone is encouraged to continue safe practices.

Mr. Pierson advised that Town facilities for public access remain closed except by appointment. Deputy City Manager Ashley Mitchell provided an Athletic Club update. She advised that the pool would open on Tuesday, June 30th and capacity will be set at 78, which is 25% of the maximum users. Ms. Mitchell advised that there will be nine lifeguards starting within the next week and the Club is aiming to add three more to be fully staffed at the outdoor pool. The pool will be open Tuesday through Friday noon to 7 p.m. and Saturday, noon to 5 p.m., for members only so that money will not be exchanged for safety reasons. Once the other three lifeguards are hired, the days will shift to Monday through Saturday. Lifeguards will be required to wear masks at the desk but will not be required to do so on the lifeguard stand. Ms. Mitchell also noted that the pavilions may not be reserved at this time. In response to a question from Council Member Walden, Ms. Mitchell

advised that outdoor classes are being held without masks but with social distancing. Council Member Willesen inquired whether public drinking fountains are open yet. Mr. Pierson responded that fountains for pets will be open later this week, however human drinking fountains remain closed.

5. Present and Discuss Senate Bill 2 Disaster Declaration Tax Calculation Options.

Chief Financial Officer Steven Glickman presented this item. He reviewed Senate Bill 2 (SB 2) that was passed by the Texas Legislature in 2019. SB 2 reforms the property taxation system by lowering the tax rate that can be adopted without voter approval and requiring a mandatory election to go above the lowered tax rate. It also makes numerous changes to the procedure by which a city adopts a tax rate. Mr. Glickman advised that the tax rate may only increase 3.5 percent above the prior year tax rate without voter approval, compared to 8 percent which was allowed prior to the adoption of SB2.

Mr. Glickman added that in March 2020 a National Emergency was declared, and that Governor Abbott also declared a state of emergency for Texas due to COVID-19. These actions triggered a disaster exemption included in SB 2 that allows a city to calculate the tax rate at 8 percent instead of 3.5 percent. Mr. Glickman provided an example of how the rate could be calculated and how long it could be effective under the disaster declaration.

Mr. Glickman explained that for cities to have the option to adopt a tax rate up to 8 percent more than the previous year, a resolution directing the City Manager to calculate the higher rate is required. This action will allow cities flexibility when determining the needed tax rate however it does not bind the Council to any particular rate. Tax rate public hearing advertisements, public hearing dates, and tax rate adoption dates were discussed, noting that if required, an election will impact the usual schedule.

The Council consensus was to bring forth a resolution for consideration on the July 14th agenda.

6. Present and Discuss the Council Calendar for June through October 2020.

City Secretary Irma Parker presented proposed dates for upcoming Council meetings. There was a brief discussion among Council members and the following dates were determined:

- July 14 – Regular Council Meeting;
- July 28 – Cancel Regular Council Meeting (due to budget preparation);
- August 5 and 6 – Council Budget Work Sessions;
- August 11 – Regular Council Meeting;
- August 12 – Tentative Special Council Meeting for tax rate public hearing (if needed);
- August 17 - Tentative Special Council Meeting for tax rate adoption;
- August 25 – Regular Council Meeting;
- September 1 - Tentative Special Council Meeting for FY 2020-2021 Budget Public Hearing;
- September 8 - Regular City Council Meeting (includes budget and Tax Rate adoption);
- September 22 - Regular City Council Meeting;

- October 13 – Regular City Council Meeting;
- October 26 - Tentative Fall Town Hall meeting; and
- October 27 - Regular City Council Meeting.

Ms. Parker added that the Council typically has only one meeting in November and December. She advised the Council that all meeting dates will be added to their calendars, including Council Finance Committee meetings and Planning and Zoning Commission meetings.

7. **Present and Discuss Public Nuisance Concerns Along the White Rock Creek Park Trail.**

Due to the late hour, Council agreed to table this item until the July 14th meeting.

REGULAR MEETING

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.*

City Secretary Parker advised that resident Nelly Garcia requested to address the City Council via telephone. Ms. Garcia addressed the City Council to request Addison Kaboom Town! be cancelled due to COVID-19 health concerns. In addition, Ms. Garcia circulated a petition with 137 names, which was forwarded to the City Council prior to the meeting for their review and information.

[Editor’s Note: The Petition was reviewed by the City Secretary for compliance with Election Code, Title 16 “Miscellaneous Provisions”, Chapter 277 “Petition Prescribed by Law Outside the Code”. Under State Law the petition did not meet the necessary requirements and therefore is not a valid petition.]

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.*

8. **Consider Action to Approve the Minutes for the June 9, 2020 Work Session and Regular Meeting.**

MOTION: Council Member Walden moved to approve the Consent Agenda item as submitted. Mayor Pro Tempore seconded the motion. Motion carried unanimously.

Regular Items

9. **Present, Discuss, and Consider Action on a Resolution Approving the Addendum to the Consolidated Public Safety Communications and Dispatch Operations Agreement Transferring Ownership and Operation of the Joint P25 Public Safety Communications System to North Texas Emergency Communications Center (NTECC); Authorizing Additional Acts to Carry Out the Town's Obligations Under this Addendum; and, Authorizing the Execution of the Addendum by the City Manager.**

Assistant to the City Manager Bill Hawley presented this item. He advised that since 2013 the cities of Carrollton, Farmers Branch, Coppell and Addison have a joint interlocal agreement for communications and emergency dispatch, including maintenance and management of a radio system and cost sharing. An agreement with Harris Corporation is in place for the purchase, installation, and maintenance of the system. The cities established the North Texas Emergency Communication Center, Inc. (NTECC) and an agreement was entered into for management of the Communications Center. Section 4.03 of the agreement states that the Harris Agreements be assigned to NTECC and the ownership of the shared components be conveyed to NTECC by the cities. Mr. Hawley added that this is a planned progression of the partnership. Council Member Willesen inquired whether Addison's contribution level will change as a result of this change. Mr. Pierson advised not at this time and noted that Addison has responsibility for the tower on Spectrum and that will not change. Future expenses for NTECC will still be shared by the cities.

MOTION: Council Member Willesen made a motion to approve this item. Deputy Mayor Pro Tempore Quintanilla seconded the motion. Motion carried unanimously.

Resolution No. R20-050: Addendum to the Consolidated Public Safety Communications and Dispatch Operations Agreement for NTECC

10. **Present, Discuss and Consider Action on the First Reading of an Ordinance of the Town of Addison, Texas Granting to Oncor Electric Delivery Company LLC, Its Successors and Assigns, an Electric Power Franchise.**

Assistant to the City Manager Bill Hawley presented this item. He advised Council that this franchise agreement is for distribution and transmission of power to residents and businesses in Addison. The current agreement expired on July 31, 2019 and had an extension granted by ordinance on June 24, 2019. The proposed franchise includes regulatory and statutory changes that were enacted since the adoption of the initial franchise agreement. The Town Charter requires that all franchises for public utilities have two readings of the approving ordinance, and the full

text of the ordinance must be advertised once weekly for four weeks in the Town's official newspaper (Dallas Morning News.) The second reading of the ordinance will occur at least 30 days following the first reading. The ordinance will take effect 30 days following the second reading. Mr. Hawley reviewed a summary of changes included in this ordinance.

MOTION: Council Member Hughes moved to approve Item 10 as stated. Council Member Braun seconded the motion. Motion carried unanimously.

Ordinance No. O20-31 - 1st Reading of Oncor Electric Delivery Company LLC Franchise Agreement

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