

# **DRAFT**

## **OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL**

**March 9, 2021**

**Executive Session, Work Session & Regular Meeting  
6:00 p.m.**

**Addison TreeHouse  
14681 Midway Rd., Addison, TX 75001**

The Addison City Council conducted its Regular Council Meeting on Tuesday, March 9, 2021 at the Addison TreeHouse with a quorum of the City Council physically present. Limited seating for members of the public was available using CDC recommended social distancing measures. The Town utilized telephone and videoconferencing to facilitate participation in the meeting. Interested parties were able to make public comments and address the Council via emailed comments submitted to the City Secretary at [iparker@addisontx.gov](mailto:iparker@addisontx.gov) by 3:00 pm on the meeting day. Members of the public were also entitled to participate remotely via Toll-Free Dial-in Number: 877.853.5247; Meeting ID: 409.327.0683 Participant ID: #. Detailed instructions on how to participate in this meeting were available on the Town's website on the Agenda Page. The meeting was live streamed on Addison's website at [www.addisontexas.net](http://www.addisontexas.net)

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

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

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**Pledge of Allegiance:** Mayor Chow led the Pledge of Allegiance.

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### **EXECUTIVE SESSION**

**Closed (Executive) Session of the Addison City Council pursuant to: Section 551.071, Tex. Gov. Code. Consultation with an attorney to seek legal advice regarding pending or contemplated litigation or settlement offer regarding:**

- Town of Addison, Texas v. CP Greenhill, LLC, and BBVA USA, f/k/a Compass Bank, Cause No. CC-20-01139-B, County Court at Law No. 2, Dallas County, Texas. (Greenhill Towers)

**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 Attorney's Annual Evaluation

Mayor Chow advised that the City Attorney's evaluation will not be discussed at this time. The Executive Session will be reconvened to discuss this item following the conclusion of the Regular Items discussion.

Mayor Chow closed the Open Session to convene the City Council into Closed Executive Session at 6:03 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 Open Session at 7:34 p.m. No action was taken as a result of Executive Session. Mayor Chow read the following statement regarding the item discussed during Executive Session:

*"I want to take a moment and thank everyone who has reached out to the Council about the Midway Road Revitalization Project and its impact on the trees along the Midway Road corridor. We have received your emails and we acknowledge and respect your concerns.*

*The Town is currently in the middle of legal proceedings with the Greenhill Towers property owner. The Town remains committed to working through the legal process in good faith to consider reasonable options that result in an amicable solution for both parties. While we are unable to provide more details at this time, we look forward to considering what results from the ongoing discussions.*

*The Council wants the community to know that Addison's appearance and how people move throughout our community are very important to us. Addison has always undertaken projects with a vision for the future of our town and Midway Road is no exception. The years-long, extensive public effort to revitalize this part of our community has not been taken lightly. I hope you will be patient as we continue to work through this process."*

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## **WORK SESSION**

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

City Manager Wes Pierson advised that on March 2, 2021 Governor Greg Abbott issued Executive Order GA-34 that fully opens all businesses to 100 percent capacity and ends the statewide mask mandate. This new order will become effective March 10, 2021. Mr. Pierson added that the Governor's order encourages individuals to wear face coverings over the nose and mouth when it is not feasible to maintain six feet of social distancing, and that every person is encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services health recommendations.

Mr. Pierson advised that the Town employees will follow the Town's current guidelines and operate as they have for the past several months, including the Addison Athletic Club. He advised that virtual services will also continue however if an in-person appointment is required those will be made available. He reiterated that no changes to Addison's current operating model will be made at this time, and he hopes to return to more normal operations soon.

Mayor Chow confirmed that Town employees will continue to wear masks and said that he encourages people and business owners to continue to have employees wear masks until everyone receives the vaccination.

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## REGULAR MEETING

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### Announcements and Acknowledgements regarding Town and Council Events and Activities

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#### Discussion of Events/Meetings

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**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 no citizens had requested to address the City Council via telephonic means. She advised that two emails were received regarding the Midway Road project from Elizabeth McDowell and Roxane Miller. The emails were forwarded to the Council.

**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.*

2. **Consider Action to Approve the Minutes from the February 23, 2021 Regular Council Meeting.**
3. **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.**

Mayor Chow asked if there were any requests to remove an item from the Consent Agenda for separate discussion. No items were pulled for separate discussion.

**MOTION:** Council Member Hughes moved to approve Consent Agenda Items 2 and 3 as submitted. Council Member Braun seconded the motion. Motion carried unanimously.

**Regular Items**

**4. Present, Discuss, and Consider Action to Accept the Addison Police Department's 2020 Racial Profiling Report and Motor Vehicle Contact Search Analysis.**

Police Chief Paul Spencer presented this item. He reviewed that the Addison Police Department must comply with Texas' Racial Profiling Law. The Law was originally created in 2001 and was updated in 2009 and again in 2017. The Law requires the Police Department to collect specific data on all vehicle stops that result in an arrest, citation, or warning. He reviewed the list of data items that must be collected and noted the information is entered by the officers into electronic ticket writing software. That data is then checked and analyzed for accuracy by the Crime Analyst and racial profiling expert Dr. Alex del Carmen. Dr. del Carmen audits the data quarterly by a random sampling of citations.

Chief Spencer advised that other requirements of the Racial Profiling Law include an agency policy on racial profiling and bias reduction, public education, officer training, and quarterly random sampling of traffic stop videos.

Chief Spencer provided a review of the data and analysis of the 2020 Report. There was discussion regarding the high percentage of contraband or evidence found in comparison to the number of searches conducted. Chief Spencer advised that the 2020 Racial Profiling Report concludes that Addison Police Officers are finding contraband when expected based on sound law enforcement practices and not due to a focus on a person's race, ethnicity, or biased-based factors. Mayor Chow inquired whether tips are received from other cities. Chief Spencer replied that tips are received from the public and through a crime information sharing network in the DFW area.

Chief Spencer concluded that the 2020 Racial Profiling Report verifies that the Addison Police Department is in full compliance with the state racial profiling statute regarding prevention policies, data collection, vehicle search analysis and reporting.

**MOTION:** Council Member Walden moved to accept the Racial Profiling Report. Mayor Pro Tempore Ward seconded the motion. Motion carried unanimously.

**5. Present, Discuss, and Consider Action on an Ordinance Declaring Unopposed the Mayoral Candidate in the May 1, 2021 Mayoral General Election, Elected to Office; Canceling the Election for the Office of Mayor; and Providing an Effective Date.**

City Secretary Parker reviewed that On March 4, 2021 she submitted to the City Council a Certification of Unopposed Mayoral Candidate certifying that no person has made a declaration of write-in candidacy for the May 1, 2021 Mayoral Election, and that candidate Joe Chow is unopposed. The City Council may declare the unopposed candidate elected to office and an ordinance is presented for consideration.

**MOTION:** Mayor Pro Tempore Ward moved to approve. Council Member Walden seconded the motion. Motion carried unanimously.

Council Member Willesen expressed his appreciation to Mayor Chow for his many years of service.

**Ordinance No. O21-09:** An ordinance of the Town of Addison declaring unopposed Mayoral candidate in the May 1, 2021 Mayoral General Election, elected to office; and canceling the election for the Office of Mayor.

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*\*\*\* Note: Resume Executive Session \*\*\**

**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 Attorney's Annual Evaluation

Mayor Chow closed the Open Session to convene the City Council into Closed Executive Session at 7:55 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 Open Session at 8:39 p.m.

**MOTION:** Council Member Hughes moved to direct the City Manager to conduct an RFP process to procure legal services for the Town. He advised the Town will consider all RFPs including from the current legal firm. Council Member Walden seconded the motion. Motion carried unanimously.

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### **Adjourn Meeting**

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

**TOWN OF ADDISON, TEXAS**

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Joe Chow, Mayor

**ATTEST:**

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Irma G. Parker, City Secretary