

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

June 22, 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, June 22, 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 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

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

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

Pledge of Allegiance: Mayor Chow led the Pledge of Allegiance

EXECUTIVE SESSION

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 if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, pertaining to:

- DART Interlocal Agreement – Ground Lease

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 closed the Open Session to convene the City Council into Closed Executive Session at 6:03 p.m.

Mayor Chow reconvened the City Council into Open Session at 6:35 p.m. No action was taken as a result of Executive Session.

WORK SESSION

1. Present and Discuss Non-Profit Grant Funding Presentations for Fiscal Year 2022.

Steven Glickman, Chief Financial Officer, advised that at the request of Council, Non-Profit Organizations (NPOs) that applied for grant funding from the Town of Addison for Fiscal Year 2022 were invited to make a five-minute presentation to the Council describing their organization's mission and what they do to serve the Addison community. Each provided an application to Staff with their funding request. Presentations included information on their missions, histories, past and future projects, how they contribute to the Addison community, and how future grant funds would be used. The impact of the COVID-19 pandemic on non-profits was included.

Representatives from each organization and fund amount are as follows:

- Addison Arbor Foundation: Presenters - President Dr. Jay Ihrig, Vice President Barbara Pappas.
- Addison Eagles Civil Air Patrol Squadron: Presenters - Jim Quinn, Shawn Norwood.
- Cavanaugh Flight Museum: Presenters - Director of Special Projects Perry White, Assistant Museum Director Kevin Raulie.
- Dallas Cat Lady: Presenter - Executive Director Leigh Sessler.
- Steven A. Cohen Military Family at Metrocare Services: Presenter – Interim Clinic Director Chelsea Fiduccia, PhD.
- Metrocrest Services: Presenter - Chief Operations Officer Nicole Binkley.
- Outcry Theatre: Presenter - Marketing Director Jason Johnson-Spinos.
- The Family Place: Presenters - Sr. Director of Community Collaborations and Partnerships Rhonda Lemons, BIPP Program Director Karicia Corum.
- WaterTower Theatre: Presenter - Producing Artistic Director Shane Peterman.
- Woven Health Clinic: Presenter – Executive Director Rigby.

It was noted that the Council will make funding decisions during the budget process for Fiscal Year 2022.

2. Present and Discuss the Proposed Issuance of 2021 General Obligation Bonds and 2021 Taxable Refunding Bonds.

Steven Glickman, Chief Financial Officer, presented this item. He advised that since 2012, Addison voters have approved several bond programs to fund various projects throughout Town. Once voter approval is secured, the City Council is authorized to issue bonds to pay for projects. It was noted that the PowerPoint presentation presented during this meeting is organized slightly differently than the one attached in the Agenda Packet. City Manager Wes Pierson advised that a copy of the updated presentation may be obtained by requesting a copy from the City Secretary.

The proposed 2021 General Obligation Bond issuance totals \$16,095,000 and consists of the following:

- \$8,000,000, from the authorized \$16,000,000 (\$3,000,000 issued to date), from Proposition 1 of the 2012 Bond Election for reconstruction of Midway Road. Council awarded a construction contract to Tiseo Construction at their December 8, 2020 Meeting. The project is currently under construction with an anticipated completion date in Fiscal Year 2024;
- \$3,145,000, from the authorized \$6,723,000 (\$365,000 issued to date), from Proposition C of the 2019 Bond Election for parks and recreation improvements and facilities. Council approved a contract for design of locker room, pool, gymnasium and track improvements to the Addison Athletic Club at their June 9, 2020 Meeting. Design is nearing completion with construction anticipated to begin in September 2021 with an estimated construction timeline of 12-24 months;
- \$4,950,000, from the authorized \$7,395,000 (\$140,000 issued to date), from Proposition D of the 2019 Bond Election for improvements to existing municipal buildings. Council approved a contract for design of roof and heating, ventilation, and air conditioning (HVAC) improvements to the Addison Athletic Club at their June 9, 2020 Meeting. Design is nearing completion with construction anticipated to begin in September 2021 with an estimated construction timeline of 12-24 months. Additionally, Council approved a professional services contract for engineering and project management of Phase One facility projects at their April 13, 2021 Meeting. The Phase One projects include roofing, HVAC, and American with Disabilities Act (ADA) improvements on all Town facilities except the Addison Athletic Club (i.e., Town Hall, Service Center, Finance Building, etc.). It is anticipated that all Phase One projects will be completed by the end of Fiscal Year 2022.

Mr. Glickman added that the tax rate impact of the 2019 Bond Election, as provided to voters, was 10.31 cents. He explained that when applied to the proposed 2021 bond issuance that would translate to 1.22 cents, however now it is anticipated to cost 1.06 cents as a result of significant positive market changes creating a savings of 13.4%. Additionally, he mentioned that late last week after the agenda was posted he received additional information from the Town's Financial Advisor that it is now feasible to refund the 2013 Certificates of Obligation Bonds that would increase total anticipated savings to approximately one-million dollars.

Mr. Glickman reviewed the timeline for the bond issuance, noting that Council will consider an ordinance when the bonds are sold on August 10, 2021, and the proceeds should be received on September 14, 2021.

3. Present and Discuss Reauthorization of the Council Finance Committee and Potential Appointments.

Bill Hawley, Director of Administrative Services, presented this item. He advised that the Finance Committee was created by Resolution on March 10, 2015. The stated purpose of the Committee is to assist the City Council in fulfilling its responsibilities pertaining to the Town's finances in accordance with the City Charter, Code of Ordinances, and applicable laws and regulations.

The Finance Committee Bylaws require Council to review the Committee annually and determine if the Committee should be sunset or continue in fulfilling their responsibilities. If Council decides to continue the Committee, three Council members shall be appointed to the Committee. Mr. Hawley advised this agenda item is to facilitate discussion on whether to continue the Committee and if so, appointments to the Committee will then be discussed.

Deputy Mayor Pro-Tempore Walden opined the Council should sunset this Committee since the Committee's work is redundant. He stated that having Council Members hold meetings with Town staff on matters that will be brought before the entire Council seems unnecessary and will save staff time and personnel costs.

Council Member Willesen, who has been appointed to the Finance Committee in the past, expressed that he has benefited from having the extra insight into the Town's financial matters. He added that in the absence of informational sessions in advance of Council meetings there may be longer discussions during the Council meetings.

Council Member Braun, who has been appointed to the Finance Committee in the past, expressed that he has enjoyed his time on the Committee and feels it saves time during the Council meetings. He added however that he is okay with not having the Committee.

Mayor Chow stated that he agrees the Committee should be discontinued, adding that it is every Council Member's responsibility to be familiar with the finances. He added that any questions may be submitted to the City Manager in advance of the Council meetings.

Other Council Members spoke in favor of discontinuing the Committee, noting it can always be reactivated if necessary. Council Member Ward expressed that the Town staff is very capable and commended Mr. Glickman for his presentation earlier in this meeting.

City Manager Pierson reminded Council that the Committee was formed by Council action and if it is the desire of the Council to sunset it, then staff will bring back a Resolution effecting that change.

REGULAR MEETING

Announcements and Acknowledgements regarding Town and Council Events and Activities

- **Proclamation Recognizing Metrocrest Chamber of Commerce President Erin Carter**

Mayor Chow presented Metrocrest Chamber of Commerce President Erin Carter a Proclamation acknowledging and expressing appreciation for her service to the Town of Addison. Ms. Carter thanked and expressed her appreciation to the Town for working with the Chamber.

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 no citizens had requested to address the City Council via telephonic means.

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 to Approve the Minutes from the May 25, 2021 Council Work Session and Regular Meeting.**
5. **Consider Action to Approve the Minutes from the June 8, 2021 Council Work Session and Regular Meeting.**
6. **Consider Action on a Resolution Appointing John Crawford to Place 1 of the Board of Directors of the North Dallas County Water Supply Corporation and Affirming the Appointments of Steven Glickman and Shannon Hicks.**
7. **Consider Action on a Resolution Appointing Paul Voelker, Mayor of the City of Richardson, as Primary Representative and Guillermo Quintanilla, Mayor Pro-Tempore of the Town of Addison, as the Alternate to the Aggregated Position of Representative to the Regional Transportation Council of the North Central Texas Council of Governments.**
8. **Consider Action on a Resolution Appointing Council Liaisons for 2021-2022.**

Mayor Chow asked if there were any requests to remove an item from the Consent Agenda for separate discussion.

City Manager Pierson requested Item 7 be pulled due to the City Richardson not being ready to move forward with this appointment. Council Member Willeesen requested Item 8 be pulled.

MOTION: Council Member Braun moved to approve Consent Agenda Items 4, 5, and 6 as submitted. Council Member Ward seconded the motion. Motion carried unanimously.

***** *Consent Item 8* *****

Council Member Willesen advised he pulled Item 8 in order to request that in the future Council reconsider appointing at a future date Education and Airport Liaisons and the Finance Committee. The Education and Airport Liaison positions were recommended to be discontinued at the June 8th Council Meeting. The Council discussed the future of the Finance Committee earlier in this meeting

MOTION: Council Member Willesen moved to approve Consent Agenda Item 8. Council Member Ward seconded the motion. Motion carried unanimously.

Resolution No. R21-031: North Dallas County Water Supply Corporation Appointments

Resolution No. R21-032: Council Liaison Appointments 2021-2022

Regular Items

9. **Present, Discuss, and Consider Action on a Resolution Approving a Concessionaire Agreement Between the Town of Addison and MD Circle Cafe, LLC for Food and Beverage and/or Recreation Rental Services at Addison Circle Park Pavilion, and Authorizing the City Manager to Execute the Agreement.**

Janna Tidwell, Director of Parks and Recreation, presented this item. She reviewed that the Parks, Recreation and Open Space (PROS) Master Plan identified park activation as a game-changing initiative and identified Addison Circle Park and the development that will occur North of the DART Silver Line as a transformative project for the Addison Parks system. The PROS plan identified that the northeast entrance to Addison Circle Park should be updated to include a food vendor or vendors. The Economic Development Plan and Special Events Strategic Plan also support the initiative.

Ms. Tidwell advised that staff from Purchasing, Parks & Recreation, Special Events, Economic Development and General Services worked together to issue a Request for Proposal (RFP) to solicit Concession Services for Addison Circle Park Kitchen and Pavilion. The RFP was issued on March 24, 2021, and two vendors submitted proposals. Staff reviewed the proposals, interviewed each of the respondents and scored the proposals by eight criteria e.g. completeness of proposal; days/hours of operations; products and services; concession experience; professional appearance, quality, character attributes; ability to meet licensing and insurance requirements; acceptable concession fee paid to the Town.

Representatives from Parks & Recreation, Special Events and General Services scored the proposals and identified Kelcher Entertainment Group, doing business as MD Circle Cafe, LLC, as the most qualified vendor to provide concession services. Kelcher has experience working with municipalities to provide concession services, currently operates an Addison business, and has worked with staff during Special Events.

Ms. Tidwell reviewed details of the proposed agreement, including hours, payment methods, menu, equipment, staffing and permitting. She advised the target start date for service is July 27, 2021.

Discussion followed regarding how the vendor and Town will comply with Texas Alcohol and Beverage Commission laws. Ms. Tidwell advised that park attendees may not bring alcohol into the parks, but it may be sold in a park. Signage is required by each seller of alcohol indicating allowable area for consumption.

It was noted this vendor should abide by the “Addison Way” in how it conducts business in a Town park. Ms. Tidwell advised that the restrooms in the area will continue to be maintained and secured by Town staff.

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

Resolution No. R21-033: MD Circle Café, LLC Concessionaire Agreement at Addison Circle Park Pavilion

10. Present, Discuss, and Consider Action on an Ordinance Granting a Meritorious Exception to Chapter 62 of the Code of Ordinances for the Addison Airport Customs and Border Protection Facility, Located at 4545 Jimmy Doolittle Drive, in Order to Exceed the Total Effective Area and the Maximum Allowable Logo Height for Attached Signs. Case MR2021-006.

Ken Schmidt, Director of Development Services, presented this item. He advised that construction for the new U.S. Customs and Border Protection Facility at the Addison Airport is nearing completion. A remaining task is the installation of site and building identification signage. To complete this process, Addison Airport staff is requesting a Meritorious Exception to the Town’s sign ordinance to install wall signage reflecting occupancy by Addison Airport and US Customs and Border Protection staff. With this project, Addison Airport staff submitted a sign permit application for four wall signs, which includes two Addison Airport signs and two U.S. Customs and Border Protection signs. One of each of these signs will be located on the western building façade facing the airfield and the eastern building façade facing the Addison Airport Toll Tunnel.

Mr. Schmidt reviewed the locations and sizes of the existing signs and provided depictions. He advised the maximum permitted logo height is 33.75 inches per the Code of Ordinances. The existing signs with Town logos are 5 feet and 7 feet. In addition, the effective area for all four signs is 220 square feet, and the maximum permitted effective area is 200 square feet.

Mr. Schmidt reviewed Code of Ordinance, Section 62-33 Meritorious Exceptions, which states that the Council may consider appeals on the basis that such regulations and/or standards will, by reason of exceptional circumstances or surroundings, constitute a practical difficulty or unnecessary hardship or on the basis that the proposed improvement although falling under the definition of a "sign," constitutes art that makes a positive contribution to the visual environment.

Mr. Schmidt advised that staff believes the hardship criteria of the Meritorious Exception requirement is met, based on the following considerations:

1. The signs for this facility are setback over 150 feet from surrounding roadways and reducing the scale of the Town logo would result in lettering that would be difficult to see from Jimmy Doolittle Drive. On the airfield side of the project, it is equally important to have an appropriately sized sign to help visitors become oriented to their surroundings upon arrival. From an aesthetic standpoint, a much smaller sign would be poorly scaled to this building
2. In addition to Addison Airport staff, this building is also occupied by a federal agency, US Customs and Border Protection, which requires its own dedication signage in accordance with federal standards. If this agency did not require signage, the proposed signs for this building would comply with the maximum effective area requirement.

Mr. Schmidt advised that previously the Town has not applied the Town's sign ordinance to the airfield facing signs that are not visible from the public right-of-way. He advised that staff supports continuation of this practice and advised that during the Unified Development Code (UDC) review a Special Sign District may be considered in December 2021.

Council Member Braun spoke in favor of this item however added that these signs are not advertisements, they are way-finding signs.

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

Ordinance No. O21-23: Meritorious Exception Addison Airport Customs and Border Protection Facility located at 4545 Jimmy Doolittle Drive

11. Present, Discuss and Consider Action on a Resolution Approving an Interlocal Agreement Between the Town of Addison and Dallas Area Rapid Transit (DART), for the Lease of Property Owned by DART at the Addison Transit Center for Inclusion in a Transit-Oriented Development to be Managed by the Town; Authorizing the City Manager to Execute the Agreement and Other Documents Including the Lease.

Mayor Chow advised that this item was discussed in Executive Session this evening and called for Council action or additional discussion. Deputy Mayor Pro-Tempore Walden requested that a summary of the lease be presented to inform our citizens. Mayor Chow called on the Town's consultant, Phyllis Jarrell, City Centric Planning, LLC, to summarize of the Interlocal Agreement. Ms. Jarrell stated that the agreement provides that DART's 5.5 acres at the Addison Transit Center may be included into the overall master development that would include the Town's 13 acres. Ms. Jarrell reviewed that the Interlocal Agreement has a 99-year term with the base rent established using an appraisal process to include escalation and re-appraisal clauses. Per state statute, DART must receive market base rent for their properties. The agreement also includes provisions that would prevent some uses from being on DART's property. There is a 5-year pre-development

period which would give the master developer time to get financing for the development program and time to complete the Town's permitting process before any rent payment to DART begins. Ms. Jarrell advised that the DART Board approved the agreement earlier in the evening at their June 22nd meeting.

The Town's Request for Proposal (RFP) is currently being advertised for solicitation of a master developer for the Town's property with a July deadline. After receipt, review and approval of the RFPs, the Town will proceed to select a master developer.

MOTION: Deputy Mayor Pro-Tempore Walden moved to approve. Council Member Willesen seconded the motion. Motion carried unanimously.

Resolution No. R21-034: DART Interlocal Agreement for Property Lease at Transit Center

12. Present, Discuss and Consider Action Providing Additional Funding for Metrocrest Services in Response to the COVID-19 Pandemic.

Bill Hawley, Director of Administrative Services, presented this item. He reviewed that the Town supports Metrocrest Services through the annual Non-Profit Organization (NPO) funding process (\$66,120 in Fiscal Year 2021). These funds go toward a variety of programs for Addison residents such as education, job training, and senior related services.

Mr. Hawley advised that due to the COVID-19 pandemic, the Town provided additional funds to Metrocrest for a Residents Assistance Program (RAP) that provides rent and food assistance to qualifying Addison residents. In 2020, Council approved Coronavirus Aid, Relief, and Economic Security (CARES) Act funding to Metrocrest for the RAP in an amount up to \$285,000 to be spent by December 31, 2020, as originally required by the CARES Act. Due to eligibility requirements on the funding, Metrocrest spent \$180,934 of the award. In January 2021, Council designated \$64,689 to continue the RAP. It was estimated that this funding would last for only a portion of 2021, and Metrocrest would return to Council to request additional funding as needed. Through May 2021, Metrocrest has expended \$52,027 of the 2021 RAP allocation leaving a balance of \$12,662. Metrocrest anticipates the remaining balance to be expended on or before July 15, 2021.

Mr. Hawley advised that Metrocrest expects the need for rent and food assistance for Addison residents to remain high throughout calendar 2021. Therefore, Metrocrest is requesting \$72,000 in funding, separate from and in addition to the annual Non-Profit Funding request, to assist with costs associated with providing assistance for the remainder of 2021.

Metrocrest Services Chief Operating Office Nicole Binkley explained to the Council the continuing needs of Addison residents. Council Member Willesen asked if Ms. Binkley could provide any guidance or insight on whether the financial problems were leveling out, getting better, or staying the same so Council could gain understanding on what is anticipated over the next 12 months. In response, she advised that with unemployment benefits being eliminated soon, there may be additional needs. There are also several first-time users of their services.

Deputy Mayor Pro-Tem Walden said that he has learned of many businesses needing employees and being unsuccessful with their hiring efforts. He opined that the problem is the COVID-19 federal programs which rewards people for not working. He supports the Town providing annual grant funding but is not inclined to support this request. Council Member Wheeler asked City Manager Pierson what fund account would this request be paid from? City Manager Pierson responded if the Council would approve this, the funds would come from the General Fund fund balance.

Mayor Chow stated he had a different perspective as he has participated in several Metrocrest programs and has seen their operation. Metrocrest does provide food, money to pay for utilities and rent for those impacted by the pandemic through no fault of their own. Mayor Chow informed Council he has volunteered to work and provide meals for Metrocrest.

Council Member Willesen reviewed that the expenditures being made for these programs were \$21,000+ monthly and he was struggling with that run rate. He also commented the Town could pay the total amount of grant funds with the new budget versus in two payments. Council Member Ward stated she supports Metrocrest 1000%, but she did not think it was prudent to take \$72,000 from the General Fund for this request.

Mayor Pro-Tem Quintanilla asked City Manager Pierson to remind Council how much money was going to be saved with the bond sale. City Manager Pierson reported that the savings from the Refunding Bonds was estimated to be over \$1M. However, not all those monies are in the General Fund some of it will come from the Drainage Fund. Mayor Pro-Tem Quintanilla recommended granting this request since funds are available without impacting the budget.

Council Member Braun stated that Metrocrest provides important services to our citizens – they do not just give a hand-out, they give a hand-up. These funds are going directly to Addison residents, preventing negative social issues such as homelessness. There is still a possibility that the Town may receive reimbursement in the next round of federal funding. Council Member Wheeler spoke in favor of this funding request.

MOTION: Council Member Braun moved to approve. Council Member Wheeler seconded the motion. Motion carried 4-3 with Deputy Mayor Pro-Tem Walden, Council Members Ward and Willesen voting against.

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