

D R A F T

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

January 11, 2022

**5:15 p.m. Executive Session & Work Session
7:30 p.m. Regular Meeting**

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

The Addison City Council conducted its Regular Council Meeting on Tuesday, January 11, 2022, 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 Willeesen.

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 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic

development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects:

- Discuss master developer proposals for the Town’s Transit Oriented Development Project

Mayor Chow closed the Open Session to convene the City Council into Closed Executive Session at 5:26 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 6:17 p.m. No action was taken as a result of Executive Session.

WORK SESSION

1. **Present and Discuss Phase II of the Facilities Utilization Study.**

Rob Bourestom, Director of General Services, presented this item. He advised this item is to provide information on Phase II of the Facilities Utilization Study presented for approval on the January 11, 2022 Consent Agenda.

Mr. Bourestom reviewed that staff worked with the LPA, Inc., an architecture and engineering firm, to conduct Phase I of a Facilities Utilization Study that evaluated Town facilities including the Conference and Theatre Center, Finance building, Central Fire Station, Fire Station 2, Police and Courts building, Service Center, and Town Hall. He reviewed those findings and advised they were presented at the City Council meeting on April 14, 2020.

Mr. Bourestom advised that during that presentation, Council asked that staff continue the study in a second phase and consider the following:

- Financial Analysis
 - What is the tipping point of building new versus modernizing facilities?
 - What is the most economical plan over the next 40-50 years?
 - How does this fit into the Transit Oriented Development plans?
- Develop a strategy for each of the existing facilities.
- Explore the Public-Private Partnership (P3) option for funding.

Mr. Bourestom advised that to conduct Phase II, staff had to identify a new vendor because an acceptable scope of work and price could not be negotiated with LPA, Inc. Staff identified MPI Architects (MPI). MPI is an Addison business with a long history of working with the Town on facility related projects including facility studies. MPI was asked to present a proposal that capitalized on data collected in Phase I and provide a financial analysis and strategy for three concepts:

- The Town remaining in existing facilities and reorganizing the departments with facility updates to meet current needs.
- Expand existing facilities to meet current and future needs.
- Rough square footage requirements for a new City Center to bring several departments and functions into a more traditional City Hall facility.

This second phase will also include:

- How the Town will address staff and visitor safety in facilities from viruses such as COVID-19.
- Aspects of the Addison TreeHouse where Economic Development and Tourism Department is currently located.

Mr. Bourestom advised that Phase II will take six months to complete. The cost of the study is not to exceed \$122,500. He noted that staff will explore the P3 options separately from this study.

Council Member Willesen reviewed that a “Facility Consolidation Study” is named as a Milestone and that approach should be the focus of this study. He also advised that since this is a study for the Town in the long term, any staff and visitor safety concerns in regard to COVID should be addressed now rather than including it in a long-term study.

Mayor Pro Tempore Quintanilla remarked that the new architect should be provided all previous information on this project. Mr. Bourestom advised that information has been provided.

Council Member Ward spoke in favor of moving forward.

REGULAR MEETING

Announcements and Acknowledgements regarding Town and Council Events and Activities

- **Proclamation: Madeleine Chen and Elizabeth Echt.**

Mayor Chow presented a Proclamation recognizing Madeleine Chen and Elizabeth Echt for their contributions to the youth of the community and Fine Arts scholarship efforts. Madeleine Chen spoke in regard to the Fine Arts social impact project.

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.*

DCM John Crawford advised that no citizens had requested to address the City 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 on the Minutes from the December 14, 2021 City Council Meeting.**
3. **Consider Action on an Ordinance Approving the Dedication of Public Right-of-Way for the Extension of Bella Lane.**
4. **Consider Action on an Ordinance Revising Sec. 78-175 Overnight Parking of Certain Vehicles Within Residential Areas Prohibited and Sec. 78-286 Storage to Clarify Language for Enforcement of Commercial Vehicle Parking.**
5. **Consider Action on a Resolution Approving a Reimbursement Grant Funding Agreement Between the Town of Addison and Metrocrest Services for Metrocrest Services' Building Our Future Capital Campaign and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$120,000.**
6. **Consider Action on a Resolution Approving an Agreement Between the Town of Addison and Fuquay, Inc. for Manhole Rehabilitation Services for Fiscal Year 2021-2022 and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$59,467.**
7. **Consider Action on a Resolution Approving a Professional Engineering and Design Services Agreement Between the Town of Addison and Kleinfelder, Inc. for the Surveyor Pump Station Electrical Improvements and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$103,599.**
8. **Consider Action on a Resolution Approving a Professional Engineering and Design Services Agreement Between the Town of Addison and Icon Consulting Engineers, Inc. in Connection with Vitruvian Park Public Infrastructure Phase 9, Block 701 to Serve Vitruvian Townhomes and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$103,980.**
9. **Consider Action on a Resolution Approving a Professional Engineering and Design Services Agreement Between the Town of Addison and MPI Architects for Phase II of the Facilities Utilization Study and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$122,500.**
10. **Consider Action on a Resolution Approving the Purchase of (2) 2022 BMW Police Motorcycles for the Town of Addison Police Department Utilizing an Interlocal Agreement with the City of Fort Worth, Texas and Authorizing the City Manager to Execute the Purchase Order in an Amount Not to Exceed \$55,251.74.**

11. **Consider Action on a Resolution Approving the Purchase of (1) 2022 John Deere 310SL Backhoe from RDO Equipment CO, Through Sourcewell Cooperative Purchasing and Authorizing the City Manager to Execute the Purchase Order in an Amount Not to Exceed \$140,240.**
12. **Consider Action to Reject Proposals Received in Response to Bid #21-16 for Redding Trail Drainage and Amenity Improvements.**

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

Deputy Mayor Pro Tempore Walden requested Item 5 be pulled and Council Member Willesen requested Items 9 and 10 be pulled for separate discussion.

MOTION: Council Member Willesen moved to approve Consent Agenda Items 2, 3, 4, 6, 7, 8, 11, and 12 as submitted. Council Member Ward seconded the motion. Motion carried unanimously.

***** *Consent Item 5* *****

Deputy Mayor Pro Tempore Walden advised that this item was posted in the Consent Agenda and wanted Item 5 pulled for a separate vote. Approval in the Consent Agenda would appear that he was in favor of this item when he has indicated in previous meetings that he is not in favor of this expenditure.

MOTION: Council Member Braun moved to approve Consent Agenda Item 5. Council Member Ward seconded the motion. Motion carried with a vote of 5-2. Deputy Mayor Pro Tempore Walden and Council Member Willesen voted against the item.

***** *Consent Item 9* *****

Council Member Willesen advised he requested Item 9 be pulled because the name of the Milestone is "Conduct a Facility Consolidation Study". He advised that he is not requesting changes to the resolution, however future discussions should include the concept of consolidating Town facilities as part of the study.

MOTION: Council Member Willesen moved to approve Item 9 as submitted. Council Member Braun seconded the motion. Motion carried unanimously.

***** *Consent Item 10* *****

Council Member Willesen advised he requested Item 10 be pulled to inquire about whether the two BMW motorcycles were going out of service are being traded-in for credit, and also inquired about using them for ten years. Rob Bourestom responded that the two going out of service will be sold at auction. He also advised that the two motorcycles going out of service did not receive

the usage as was expected due to a shortage of motorcycle officers for a period of time. This allowed the motorcycles to stay in service longer.

MOTION: Council Member Willesen moved to approve Item 10 as submitted. Mayor Pro Tempore Quintanilla seconded the motion. Motion carried unanimously.

Ordinance No. O22-1: Right-of-Way Dedication for Extension of Bella Lane

Ordinance No. O22-2: Amend Code §§ 78-175 and 78-286 Parking-Overnight & Vehicle Storage

Resolution No. R22-001: Building Fund Grant - Metrocrest Services

Resolution No. R22-002: Manhole Rehabilitation Services Agreement -Fuquay, Inc.

Resolution No. R22-003: Agreement Surveyor Pump Station Electrical Design Services - Kleinfelder, Inc.

Resolution No. R22-004: Agreement Vitruvian Park Infrastructure, Phase 9, Block 701 Engineering/Design – ICON Consulting, Inc.

Resolution No. R22-005: Agreement Phase II Facilities Utilization Study - MPI Architects

Resolution No. R22-006: IA BMW Police Motorcycles - City of Fort Worth

Resolution No. R22-007: Purchase 2022 JD Backhoe - RDO Equipment Co.

Regular Items

13. **Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance Amending Planned Development (PD) District Ordinance O19-22 for a 10.88-Acre Property Located at the Southeast Corner of Belt Line Road and Montfort Drive in Order to Modify Use Regulations by Allowing Medical Office as a Permitted Use. Case 1844-Z/Prestonwood Place.**

Ken Schmidt, Director of Development Services, presented this item. He advised this item is a request to amend a Planned Development (PD) to allow a medical office by right. He added that the zoning is currently Local Retail (LR) and reviewed the allowed uses in this zoning. Mr. Schmidt advised that other cities in the area allow medical offices by right.

Mr. Schmidt advised that One Medical is requesting to locate in the northern portion of the center. He briefly reviewed the parking.

Mr. Schmidt advised that 18 public notices were sent out and no responses were received. The Planning and Zoning Commission met on December 21, 2021 and voted to recommend approval with the conditions that the property may be used for medical offices for non-emergency services only and may be open no longer than 18 hours on any given day.

Council Member Braun inquired how the parking ratios are calculated. Mr. Schmidt responded that medical facilities typically require more parking spaces than other types of businesses however how parking ratios are calculated will be discussed during upcoming Unified Development Code discussions.

Mayor Chow opened and closed the Public Hearing with no one wishing to speak.

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

Ordinance No. O22-3: Case 1844-Z/Prestonwood Place Amend PD Ordinance O19-22 PD District

14. Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance for Property Located at 5294 Belt Line Road, Suite 110, Currently Zoned Planned Development (PD) Through Ordinance O19-022, for a Special Use Permit (SUP) to Allow a Restaurant. Case 1845-SUP/5294 Belt Line Road, Suite 110 (La La Land Kind Café).

Ken Schmidt, Director of Development Services, presented this item. He advised this is a request for a restaurant use in a Planned Development located within the Prestonwood Place shopping center, situated at the southeast corner of Belt Line Road and Montfort Drive. This center is zoned Planned Development (PD) District, through Ordinance O19-22.

Mr. Schmidt advised this new establishment, La La Land, is a small café that offers specialty beverages and foods for dine-in and take out consumption, which requires a Special Use Permit (SUP). He reviewed that La La Land Kind Café has opened several locations in Dallas and one in Santa Monica, California.

Mr. Schmidt explained that typically, this SUP consideration would come before the Commission and Council prior to a business opening. In this PD, coffee shops that do not provide onsite dining do not require an SUP. At several points during the permit review process, Town staff communicated to the Prestonwood Place development team what would trigger the Town's SUP requirements. Their team confirmed that there would not be any interior seating in this tenant space and that the exterior seating was a common area for the development. These conditions were also reflected in the building permit application that was submitted for La La Land. As the interior finish out work was completed, and immediately prior to the planned grand opening, interior seating was installed by the business, which triggered this SUP requirement. Rather than forcing the removal of the seating or preventing the business from opening, staff issued a Temporary Certificate of Occupancy (TCO) with the condition that an SUP application be submitted for Town consideration. Given the nature of the use and the businesses' unfamiliarity with the Town's SUP requirements, staff found this to be a reasonable approach to this issue.

Mr. Schmidt advised the applicant is requesting approval of an SUP for a restaurant. The new restaurant space is 1,295 square feet, with an additional 227 square foot of outdoor patio. The existing tenant space has been completely remodeled to suit the needs of La La Land Kind Café. The floor plan shows seating for 12 patrons with additional seating provided in the outdoor patio area for 8 patrons. Parking at this site is sufficient. With the exception of signage, La La Land does not propose to make improvements to the exterior of the building. Landscape plans were reviewed through the rezoning process for the shopping center in 2019 and additional landscaping or open space is not required at this lease space.

Mr. Schmidt advised that 18 public notices were sent out and no responses were received. The Planning and Zoning Commission met on December 21, 2021 and voted to recommend approval.

Council Member Willesen inquired whether the outdoor seating would impede the pedestrian pathway in that area. Mr. Schmidt advised that staff believes that the outdoor seating would not impede the pedestrian pathway.

Mayor Chow opened and closed the public hearing with no one wishing to speak.

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

Ordinance No. O22-4: Case 1845-SUP/5294 Belt Line Road, Suite 110, La La Land Kind Café

15. Present, Discuss, and Consider Action on a Resolution Casting Addison's Vote for Michael Hurtt for the Fourth Member of the Board of Directors of the Dallas Central Appraisal District.

John Crawford, Deputy City Manager, presented this item. He advised that at the November 9, 2021 Council Meeting, the City Council approved Resolution No. R21-085 casting their vote for Mr. Michael Hurtt as their selection for re-appointment as the Suburban Cities Representative to the Dallas Central Appraisal District (DCAD). Mr. Hurtt currently serves in that position and had expressed interest in serving for the 2022-2024 term.

Mr. Crawford advised that on December 27, 2021, Cheryle Jordan, Director of Community Relations for the Dallas Central Appraisal District, advised that the Suburban Cities Election will require a runoff since there was not a candidate who received 16 votes (the majority of the 30 votes eligible). A runoff election is necessary between the top two finishers, Michael Hurtt and Brett Franks. Mr. Crawford requested direction from Council on how to cast the Town's vote in the run-off election.

MOTION: Council Member Willesen moved to vote for Michael Hurtt for the Suburban Cities Representative to the Dallas Central Appraisal District. Council Member Wheeler seconded the motion. Motion carried unanimously.

Resolution No. R22-008: Vote for Michael Hurtt for Suburban Cities Representative to the Dallas Central Appraisal District Runoff Election

16. Present, Discuss, and Consider Action on an Ordinance Calling and Ordering the May 7, 2022 General Election.

John Crawford, Deputy City Manager, presented this item. He advised that a General Election is conducted each May to elect representatives to the Addison City Council, as necessary. The proposed ordinance establishes the procedures for the May 7, 2022 General Election in accordance with state law and the Town's Home Rule Charter. The Election is called to elect three (3) City Council Members.

Mr. Crawford advised that the first day to file for a place on the May ballot is Wednesday, January 19, 2022. The last day to file is Friday, February 18, 2022. The Town will enter into a Joint Election Contract with the Dallas County Election Department for the May 7, 2022 General Election. All procedures remain the same as in previous years. Should the election be uncontested and unnecessary, the Town will have the opportunity to cancel the election in accordance with the Election Code.

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

Ordinance No. O22-5: Order May 7, 2022 General Election

17. **Present, Discuss, and Consider Action on an Ordinance Authorizing the Issuance of Town of Addison, Texas, General Obligation Refunding Bonds, Series 2022 in the Approximate Amount of \$8,755,000; Awarding the Sale Thereof; Levying a Tax, and Providing for the Security and Payment of Said Bonds; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and Deposit Agreement; Approving the Official Statement; Enacting Other Provisions Relating to the Subject; and Declaring an Effective Date.**

Chief Financial Officer Steven Glickman presented this item. He reviewed that at the November 9, 2021, Council meeting staff presented a plan to take advantage of a favorable market environment to refund (refinance) the 2012 Combination Tax and Revenue Certificates of Obligation. Estimates in Net Present Value savings over the remaining life of the debt were provided at the November 9, 2021 Council meeting.

Mr. Glickman advised that the sale of those bonds occurred the morning of January 11th. He noted that the actual savings that will occur with this refunding is \$868,000. The sale also included a cash premium as part of the sale. The term of the bonds was not extended. The debt service schedule was reviewed.

Nick Buliach with Hilltop Securities reviewed the sale. He advised that eight bids were received. He noted that the Town's bond rating of AAA/Aaa from Standard and Poor's and Moody's were reaffirmed as part of this sale.

Mr. Glickman advised that Addison's bonds and projects information is available online at addisontexas.net. The 2012 Combination Tax and Revenue CO's were issued for the purposes of acquiring and installing radio and telecommunications equipment for the Town's public safety operations and for water, wastewater, street, and drainage infrastructure improvements within Vitruvian Park. The radio and telecommunications bonds were issued with a fifteen-year debt-life while the Vitruvian infrastructure bonds were issued with a twenty-five-year debt life. The CO's carry a final maturity date of February 15, 2037. Refunding the CO's is estimated to create total interest savings of \$971,500 with net present value savings of \$836,359 (8.83% of the amount refunded). Interest savings of approximately \$62,000 to \$68,000 per year are estimated for the remaining life of the bonds.

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

Ordinance No. O22-6: Issue Town of Addison, Texas, General Obligation Refunding Bonds, Series 2022

18. Present, Discuss, and Consider Action on a Resolution Approving a Contract Agreement Between the Town of Addison and Tiseo Paving Company, Inc. for the Bella Lane South Extension & Alpha Road Connector Project and Authorizing the City Manager to Execute the Contract in an Amount Not to Exceed \$2,999,910.66.

Shannon Hicks, Director of Public Works and Engineering Services, presented this item. He advised that this item is to award a construction contract for the Bella Lane South Extension & Alpha Road Connector Project. The scope of work for the project includes street paving, bridge installation, water and storm drainage, infrastructure installation, landscape, and the construction of a detention pond. On September 22, 2020, the City Council approved an Interlocal Agreement (ILA) with the City of Farmers Branch and the Dallas County Community College District (DCCCD) for the construction of the Alpha Road Connector Project to extend Bella Lane in Addison through Brookhaven College to Alpha Road in Farmers Branch. As outlined in the ILA, DCCCD has conveyed all necessary easements to construct the project.

Bidding on this project was opened on October 7, 2021 and closed on October 21, 2021. Seven bids were received with DDM submitting the lowest bid. Based on bid submittal requirements, several irregularities were identified in DDM's bid package submittal. DDM failed to demonstrate that it was qualified to do the work and did not submit all required information and documentation as outlined in the bid requirements. Therefore, Tiseo Paving Company (Tiseo) has been determined to be the lowest responsive bidder and meets all of the qualifications for the project. Kimley-Horn & Associates Inc. has checked Tiseo's references and recommends awarding the contract to Tiseo. Tiseo is currently constructing the Midway Road Revitalization Project with the Town and has successfully performed similar projects with other municipalities.

The construction work is anticipated to begin by the middle of February 2022 and is expected to take approximately 12 months to complete. The total project cost is estimated to be within the budgeted \$3.68M. A total of \$1,775,577 is allocated as part of Phase 4 of the Master Facilities Agreement (MFA) for the Vitruvian Development.

Below is a breakdown of the project funding sources as outlined in the ILA:

FUNDING SOURCES	AMOUNT
Town of Addison – Vitruvian Bonds	\$1,600,000
UDR	\$1,600,000
City of Farmers Branch	\$480,000

The City of Farmers Branch's contribution only applies to the costs above \$3.2M.

The Bella Lane South Extension & Alpha Road Connector Project begins at the northern edge of Phase 4 of the Vitruvian Development, approximately 800 feet south of the existing end of Bella Lane. This remaining 800-foot section is in Phase 6 of the Vitruvian Development. Due to the limits of the ILA and location within the Vitruvian phasing, this remaining 800-foot segment of roadway, the Bella Lane North Connector Project, is anticipated to bid as a separate project in January 2022. Funding for Bella Lane North Connector Project is included as part of the \$4,446,496 allocated for Phase 6 of the Vitruvian Development.

Mr. Hicks advised that once the construction of the project is completed and accepted, the Town of Addison will maintain only the portion within the Town limits. Farmers Branch and DCCCD will be responsible for all other maintenance outside of the Town limits.

Road construction and detention pond details were briefly discussed. Mr. Hickman noted that the Town will oversee the construction.

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

Resolution No. R22-9: Agreement with Tiseo Paving Company, Inc. for the Bella Lane South Extension & Alpha Road Connector Project

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