

# DRAFT

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

October 25, 2022

**Addison TreeHouse, 14681 Midway Rd., Suite 200, Addison, TX 75001**  
**6:00 p.m. Executive Session & Work Session**  
**7:30 Regular Meeting**

**Present:** Mayor Joe Chow; Mayor Pro-Tempore Kathryn Wheeler; Council Member Tom Braun; Council Member Darren Gardner; Council Member Guillermo Quintanilla; Council Member Eileen Resnik

**Absent:** Deputy Mayor Pro-Tempore Lori Ward

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**Call Meeting to Order:** Mayor Chow called the meeting to order at 6:00 PM.

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

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### EXECUTIVE SESSION – 6:01 PM

**Closed (Executive) Session of the Addison City Council pursuant to:**

- *Section 551.074 Personnel Matters* – Tex. Gov. Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, pertaining to:
  - Municipal Court Presiding and Alternate Judges
- *Section 551.071 Consultations with Attorney*, Tex. Gov. Code, Consultation with an attorney to seek advice of its attorney about: (1)(A) pending or contemplated litigation or (1)(B) a settlement offer regarding:
  - Update on Midway Road Revitalization Project Condemnations

Mayor Chow Closed the Open Meeting to convene the City Council into Closed Executive Meeting at 6:01 PM.

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**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 pursuant to:

- *Section 551.074 Personnel Matters – Tex. Gov. Code*
- *Section 551.071 Consultations with Attorney, Tex. Gov. Code*

Mayor Chow reconvened the City Council in Open Session at 6:50 PM. There was no action take as a result of the Closed Session.

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## WORK SESSION – 6:51 PM

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1. **Present and Discuss the Annual Council Strategic Planning Process.** [Bill Hawley, Director of Administrative Services]

Since 2016, Addison’s City Council has met annually to discuss strategic priorities for the Town. Council requested a Work Session to discuss this process. Staff facilitated this discussion by providing relevant information about strategic planning, Addison’s current strategic planning process, and strategic planning processes utilized by our comparator cities. Staff seeks Council direction regarding future strategic planning processes. *DIRECTIVE:* Process to begin early in year with participation by Department Directors prior to budget planning/preparation. After general election retreat scheduled to review strategic planning process and long-range planning.

2. **Present and Discuss the Non-Profit Organization Grant Funding Process.** [Lauren Williams, Assistant to the City Manager]

Each year, the Town enters into agreements with various non-profit organizations that promote public purposes and benefit the Addison community. Council requested a Work Session to review the grant funding process. Staff provided an overview of the Town’s current program and procedures utilized by many of our comparator cities. Staff requested direction with the grant funding process. *DIRECTIVE:* n/a

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## REGULAR MEETING

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### **Announcements and Acknowledgments Regarding Town and Council Events and Activities**

- **Recognition of the Town’s Receipt of 3 Government Finance Officer Association Awards**

Chief Financial Officer Steven Glickman recognized and introduced members of the Finance Team – Amanda Turner, Assistant Finance Director; Ashley Wake, Controller; Kristen Solares, Budget Manager; Ismael Villalta, Senior Account

## Discussion of Meetings / Events [Hamid Khaleghipour, Interim City Manager]

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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 requested to address the City Council at this time.

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**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.*

3. **Consider Action on the Minutes from the October 11, 2022 City Council Meeting.**
4. **Consider Action on a Resolution Approving a Grant Funding Agreement Between the Town of Addison and Addison Arbor Foundation and Authorizing the City Manager to Execute the Grant Funding Agreement in an Amount Not to Exceed \$65,000.**
5. **Consider Action on a Resolution Approving a Grant Funding Agreement Between the Town of Addison and Metrocrest Services and Authorizing the City Manager to Execute the Grant Funding Agreement in an Amount Not to Exceed \$82,650.**
6. **Consider Action on a Resolution Approving a Grant Funding Agreement Between the Town of Addison and Outcry Theatre and Authorizing the City Manager to Execute the Grant Funding Agreement in an Amount Not to Exceed \$2,500.**
7. **Consider Action on a Resolution Approving a Grant Funding Agreement with WaterTower Theatre and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$425,000 in Cash and In-Kind Contributions.**
8. **Consider Action on a Resolution Approving a Grant Funding Agreement Between the Town of Addison and Dallas Cat Lady and Authorizing the City Manager to Execute the Grant Funding Agreement in an Amount Not to Exceed \$5,000.**
9. **Consider Action on a Resolution Approving a Grant Funding Agreement Between the Town of Addison and Dallas County Mental Health & Retardation d/b/a Metrocare Services and Authorizing the City Manager to Execute the Grant Funding Agreement in an Amount Not to Exceed \$2,500.**
10. **Consider Action on a Resolution Approving a Grant Funding Agreement with On Eagles Wings, Inc. d/b/a Woven Health Clinic and Authorizing the City Manager to**

**Execute the Grant Funding Agreement in an Amount Not to Exceed \$5,000.**

11. **Consider Action on a Resolution Approving an Agreement for Funding Between the Town of Addison and the World Affairs Council of Dallas/Fort Worth and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$60,000.**
12. **Consider Action on a Resolution Approving an Agreement for Funding Between the Town of Addison and the Metrocrest Chamber of Commerce and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$38,500.**
13. **Consider Action on a Resolution Approving an Agreement Between the Town of Addison and WaterTower Theatre, Inc. for the Use of the Addison Theatre Centre and Authorizing the City Manager to Execute the Agreement.**
14. **Consider Action on a Resolution Approving the Purchase of Nine Vehicles, a Vermeer Chipper and Two Thermal Cameras for the Fire, Police, Parks, Utilities and General Services Departments and Authorizing the City Manager to Execute the Purchase Agreements in an Amount Not to Exceed \$635,240.43.**
15. **Consider Action on a Resolution Approving a Contract Agreement Between the Town of Addison and Texas Standard Construction, LTD. for Construction Services for the Town of Addison Rawhide Creek Basin Drainage and ADA Improvements and Authorize the City Manager to Execute the Agreement in an Amount Not to Exceed \$1,903,640.76.**
16. **Consider Action on the Purchase of Water Quality Analyzers from Hach Company and Authorize the City Manager to Execute the Purchase Order in an Amount Not to Exceed \$69,481.60.**
17. **Consider Action on a Resolution Adopting an Investment Strategy and Approving Brokers, Dealers, and Financial Institutions for Fiscal Year 2022-2023.**
18. **Consider Action on an Ordinance to Amend the Code of Ordinances by Amending Chapter 66 (Solid Waste) Article II (Collection And Disposal), Division 2 (Service Charge) Section 66-52 Increasing from \$12.56 to \$13.24 the Monthly Fee For Each Residential Unit.**

Mayor Chow called for any requests to remove an item from the Consent Agenda. Council Member Braun requested to pull Consent Agenda Item 13 for separate discussion. Mayor Chow called for a motion to approve Consent Agenda Items 3-12 and 14-18.

**MOTION:** Council Member Quintanilla moved to approve Consent Agenda Items 3-12 and 14-18. Mayor Pro-Tem Wheeler seconded the motion. Motion carried unanimously.

\* \* \* **Item #13** \* \* \*

Council Member Braun provided brief history of the WaterTower Theatre and Addison Conference Centre Complex and the partnership with WaterTower Theatre, Inc. for their continued contributions of the arts to the Town.

**MOTION:** Council Member Braun moved to approve Consent Agenda Item #13. Council Member Gardner seconded the motion. Motion carried unanimously.

**Resolution No. R22-066:** FY 2023 Grant Funding Agreement - Addison Arbor Foundation

**Resolution No. R22-067:** FY 2023 Grant Funding Agreement – Metrocrest Services

**Resolution No. R22-068:** FY 2023 Grant Funding Agreement – Outcry Theatre

**Resolution No. R22-069:** FY 2023 Grant Funding Agreement – WaterTower Theatre

**Resolution No. R22-070:** FY 2023 Grant Funding Agreement – Dallas Cat Lady

**Resolution No. R22-071:** FY 2023 Grant Funding Agreement – Dallas County MH/MR dba Metrocare Services

**Resolution No. R22-072:** FY 2023 Grant Funding Agreement – On Eagles Wings, Inc. dba Woven Health Clinic

**Resolution No. R22-073:** FY 2023 Grant Funding Agreement – World Affairs Council of Dallas/Fort Worth

**Resolution No. R22-074:** FY 2023 Grant Funding Agreement – Metrocrest Chamber of Commerce

**Resolution No. R22-075:** Agreement for use of Addison Theatre Centre – WaterTower Theatre, Inc.

**Resolution No. R22-076:** Purchases approved in FY 2022-2023 Budget for Vehicles, Vermeer Chipper, Thermal Cameras – Police, Parks, Utilities, General Services Department

**Resolution No. R22-077:** Contract for Construction Services for Rawhide Creek Basin Drainage & ADA Improvements – Texas Standard Construction, LTD.

**Resolution No. R22-078:** Contract for Water Quality Analyzers – Hach Company

**Resolution No. R22-079:** Adopt Investment Strategy & Approve Brokers, Dealers, Finance Institutions FY 2022-23

**Ordinance No. O22-41:** Amend Code Chapter 66 (Solid Waste) Article II (Collection & Disposal) Division 2 (Service Charge) Section 66-52

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## Regular Items

19. **Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance Amending Planned Development (PD) District Ordinance No. 099-025 for a 7.76 Acre Property Located at the Southeast Corner of Westgrove Drive and Excel Parkway in order to Modify Use Regulations by Allowing Light Assembly of Jewelry as a Permitted Use. Case 1861-Z / 16650 Westgrove Drive (Precision Set).** [Ken Schmidt, Director of Development Services]

This request is to amend the PD by including light assembly of jewelry as a permitted use. The Development Plan adopted with Ordinance 099-025 would not be modified by this request. The intent of the C-1 District, the base zoning district for this PD, is to provide a mix of retail, office, and personal services for the Town. Additional uses, such as restaurants, are permitted through

approval of a Special Use Permit (SUP). The PD also allows for distribution and warehouse uses related to the light assembly of paper goods, computer products, or similar materials. The development pattern, permitted uses and proximity to the Addison Airport, fosters businesses that have a warehouse component, that may be viewed as “light industrial”. Light assembly of jewelry is compatible with other uses that are currently permitted in the PD and with other businesses in the area. The area has a variety of office, retail, and service uses, with many having a warehouse, assembly, or storage component. The Town’s zoning ordinance prohibits smelting and uses that produce offensive odor, dust, smoke, gas, or noise. This PD amendment would not allow those operations or uses.

The potential tenant, Precision Set, has initiated this PD Amendment request to add light assembly of jewelry as a permitted use in order to occupy Suite 400. Precision Set specializes in the design and manufacturing of fine jewelry. Precision Set does not have a consumer retail component as they only provide design and production services to select fine jewelry retailers across the United States and Canada. The company has operated in DFW since it was founded in 1987. They would like to remain in the area to provide a central location for their employees. The company currently employs 32 individuals, with approximately half serving in professional service roles such as jewelry design, accounting, and sales. The remaining employees specialize in fine jewelry assembly and production. The business operates 8:30 am – 5:30 pm, Monday through Friday. The proposed light assembly operation primarily includes the setting of diamonds and other precious gemstones. Precision Set does not use any assembly methods that require smelting, soldering, or the use of hazardous chemicals. They utilize various filtering methods to ensure any precious metal flakes and contaminants are captured. Due to the small size of jewelry components, distribution generally includes one FedEx pickup per business day. The applicant does not anticipate any heavy load traffic to be generated by the business.

The Addison Planning and Zoning Commission, meeting in regular session on September 20, 2022, voted to recommend approval of an ordinance changing the zoning on property located at 16650 Westgrove Drive, subject to the following condition: Light assembly of jewelry shall not include smelting, soldering, or the use of hazardous chemicals

Staff concurs with Commission findings and believes the proposed amendment would allow opportunity for a business to occupy a currently vacant suite, that is similar to other permitted uses within the PD. Additionally, the amendment would allow uses that would be in line with the development pattern of the area. Staff recommends approval of the request subject to conditions.

Public Hearing: Consultant/applicant: Trenton Robertson addressed Council questions and/or comments.

**MOTION:** Mayor Pro-Tem Wheeler moved to approve as submitted. Council Member Gardner seconded the motion. Motion carried unanimously.

**Ordinance No. O22-42:** Case 18610Z/16650 Westgrove Drive (Precision Set) Amend Planned Development

20. **Present, Discuss, and Consider Action on a Resolution to Accept the Resignation of**

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**Addison Municipal Court No. 1 Alternate Judge Danielle Dulaney Effective October 25, 2022.**

The Town of Addison Municipal Court of Record No. 1 is a municipal court of record operated by the Town pursuant to Chapter 30 of the Texas Government Code. Judges are appointed to serve two-year terms. Judge Danielle Dulaney’s position on the court does not terminate until December 1, 2022. On August 15, 2022, Judge Dulaney notified Presiding Judge Larry Dwight of her intent to not seek reappointment as Alternate Judge and to resign her position effective October 25, 2022.

**MOTION:** Council Member Braun moved to approve resignation. Council Member Resnik seconded the motion. Motion carried unanimously.

21. **Present, Discuss, and Consider Action on the Ordinances to Reappoint Larry Dwight as Presiding Municipal Judge to the Addison Municipal Court of Record #1, Reappoint Cass Callaway and Appoint George "Buck" Johnson as Alternate Municipal Judges to the Addison Municipal Court of Record #1 and Authorize the Interim City Manager to Execute the Agreements.**

The Town of Addison Municipal Court of Record No. 1 is a municipal court of record operated by the Town pursuant to Chapter 30 of the Texas Government Code. Judges are appointed to serve two-year terms with the current terms expiring on December 31, 2022. In earlier action Council approved Alternate Judge Delaney’s resignation effective today, October 25. Evaluations of Judge Callaway and Judge Dwight were conducted during Executive Session. An interview of Judge George C. “Buck” Johnson was conducted in Executive Session.

The Professional Services Agreement for George C. “Buck” Johnson to serve as Alternate Municipal Court Judge and replace Judge Delaney was provided for council consideration. Judge Johnson’s initial appointment is effective October 25, 2022 through December 31, 2024. Judge Cass Robert Callaway has served as an Alternate Municipal Judge since February 28, 2017. The Professional Services Agreement for Judge Callaway is effective from January 1, 2023 to December 31, 2024. Judge Larry Dwight has served as a Municipal Court Judge for the past thirty-six years, specifically serving as a Presiding Judge for the last 16 terms. The Professional Services Agreement for Judge Dwight is effective from January 1, 2023 to December 31, 2024.

**MOTION:** Council Member Braun moved to approve Professional Services Agreements as presented. Mayor Pro-Tem Wheeler seconded the motion. Motion carried unanimously.

22. **Present, Discuss, and Consider Action on the Addison Athletic Club Renovation Total Project Budget.** *[Bill Hawley, Director of Administrative Services]*

On October 12, 2021, the Addison City Council approved the total project budget for the Addison Athletic Club Renovation Project (Project) below:

CATEGORY	COST
Construction Cost	\$4,035,083

Project Costs	\$1,042,548
<b>Total</b>	<b>\$5,077,631</b>

Project costs included architectural, construction management, project contingencies, and (to the extent funding allowed) bid alternate items.

During the August 23, 2022 Council meeting, Staff provided an update on the Project. This included the status of the total project budget and the limited ability to approve bid alternates because the cost of the project contingencies that needed to be addressed. Following the discussion, Council directed Staff to:

- provide a cost estimate for the work necessary to complete the shade structure;
- provide updated cost estimates for uncompleted alternate bid items; and
- provide a prioritization of the alternates bid items

The requested information is shown as follows:

- ❖ Item #1: Ceiling Fan Replacement, Updated Cost: \$29,760.12 - During design, staff informed the architect of the need to install flush mounted ceiling fans to provide adequate clearance in certain areas for safety. Upon installation, it was determined that the architect specified fans were not acceptable. Staff rejected these fans. Staff is asking for a budget increase in the amount of the cost of the replacement fans, installation work, and associated costs. Staff has notified the architect of the Town’s position regarding being reimbursed for the fans and associated costs. The architect has agreed. Reimbursement will be credited back to the Town’s bond account. For accounting and contractual reasons, the Town prefers to process the transaction in this manner.
- ❖ Item #2: Shade Structure, Updated Cost: \$153,504 – A shade structure consisting of 5 metal columns supporting a suspended shade canopy is included in the project scope. As work to excavate the pier locations to support the structure began, construction crews identified previously unknown utilities that conflict with the pier locations. These utilities consist of piping for the outdoor pools, electrical circuits, a water supply line, and possibly other utilities that are not identified. Because the outdoor pool was set to open before a solution could be engineered and completed, the pier locations were filled in and work was delayed until after the September 10 pool closure. Installing the shade structure as designed will necessitate relocating the utilities from the planned pier locations at an additional cost.
- ❖ Item #3: Additional Ceiling Tile Replacement, Updated Cost: \$56,116 – The renovation contractor’s scope of work called for the replacement of ceiling tiles in some areas and those ceiling tiles directly below work performed on certain air conditioning components. Now that the project is wrapping up, the contrast between the old and new ceiling tiles is evident in places. Staff is recommending the replacement of additional ceiling tiles to alleviate this condition. This is not a proposal to replace all ceiling tiles in the facility. The scope of the proposed replacements is intended to address only the more obvious contracts in ceiling tiles in high use areas.
- ❖ Item #4: Indoor Pool Skylight Panel Replacement, Updated Cost: \$44,497.60 - The skylights above the indoor pool have deteriorated in appearance due to age and storm damage.
- ❖ Item #5: Lobby Atrium Ceiling Painting, Updated Cost: \$25,922.40 – The AAC Renovation Project is a partial renovation. Some areas of the facility received a total



renovation while other received little or no work. As the project wraps up, it is evident that the appearance of the main lobby ceiling would benefit from a fresh coat of paint to match adjacent surfaces that were painted as part of the renovation work. This is not a proposal to paint all surfaces in the facility. It is intended to address a public area where the new and old paint adjacencies are most evident.

During the August 23, 2022 Council Meeting, Council approved Change Order #13 making the new overall budget as follows:

**ACC Budget – 8/23/2022**

<b>CATEGORY</b>	<b>COST</b>
Construction Cost	\$4,035,083
Project Costs	\$1,042,548
<i>10/2021 Total</i>	\$5,077,631
Change Order #13	\$44,469.51
<i>8/23/2022 TOTAL</i>	\$5,122,100.51

Staff recommends approval of an additional increase in the total project budget in an amount sufficient to cover the Ceiling Fan replacement line item plus any of the additional line items that Council would like to see completed as part of this Project. Any items not approved will be added to the on-going list of facility maintenance projects and considered with the regular budget process.

The Town’s Chief Financial Officer has identified investment earnings from bond proceeds in an approximate amount of \$200,000. These funds may be applied to this, or any other bond project. The amount approved to increase the Project’s total project budget would come from these investment earnings.

After discussion, Council directed Staff to explore options for Item #2 – Shade Structure and present findings at a future meeting. The new Project totals would be as follows:

<b>CATEGORY</b>	<b>COST</b>	<b>INDIVIDUAL COST</b>
Construction Cost	\$4,035,083	
Project Costs	\$1,042,548	
Total	\$5,077,631	
Change Order #13	\$44,469.51	
<b>TOTAL</b>	<b>\$5,122,100.51</b>	
Additions 10/25/2022	\$156,296	
Ceiling Fan Replacement		\$29,760
Additional Ceiling Tile Replacement		\$56,116
Indoor Pool Skylight Panel Replacement		\$44,498
Lobby Atrium Ceiling Painting		\$25,922
<b>10/25/2022 TOTAL</b>	<b>\$5,278,396.63</b>	

**MOTION:** Council Member Braun moved to approve additions of Item #1, #3, #4, and #5 with a cumulative total of \$156,296, making amended Project total of \$5,278,396.63. Council Member Resnik seconded the motion. Motion passed 4 to 2 with Mayor Pro-Tem Wheeler and Council Member Gardner casting votes against.

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**Adjourn Meeting**

There being no further business to come before the City Council, the meeting was adjourned at 10:25 PM.

**TOWN OF ADDISON, TEXAS**

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Joe Chow, Mayor

**ATTEST:**

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Irma G. Parker, City Secretary