

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITYCOUNCIL

April 25, 2023

Addison TreeHouse
14681 Midway Road, Suite 200, Addison, TX 75001
600 p.m. Executive Session & Work Session
7:30 Regular Meeting

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

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

Pledge of Allegiance: Mayor Chow lead the Pledge of Allegiance.

EXECUTIVE SESSION

Closed (Executive) Session of the Addison City Council pursuant to Texas Government Code:

- Section 551.074. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, pertaining to:
 - City Manager Personnel Update
- Section 551.087. Regarding Economic Development - Deliberations 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 amending the Memorandum of Understanding (MOU) and agreements between Town of Addison, AMLI Residential and Stream Realty for the Transit Oriented Development Project

Mayor Chow Closed the Open Meeting at 6:04 PM to convene the City Council into closed Executive Session.

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 7:47 PM. No action was taken as a result of the Closed Executive Session.

REGULAR MEETING

Announcements and Acknowledgments Regarding Town and Council Events and Activities

Discussion of Meetings / Events

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.*

No requests to address the City Council on an item not on the agenda.

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.*

1. **Consider Action on the Minutes from the March 27, 2023 City Council Strategic Planning Retreat.**
 2. **Consider Action on the Minutes from the April 11, 2023 City Council Meeting.**
 3. **Consider Action on a Resolution Approving a Purchase Order with SHI Government Solutions, Inc. for the Purchase, and Installation of 195 Notebooks and 78 Desktops and Authorizing the City Manager to Execute the Purchase Order in an Amount Not to Exceed \$444,259.95.**
 4. **Consider Action on a Resolution Adopting the Fiscal Year 2024 Vision Statement, Strategic Pillars, and Milestones.**
 5. **Consider Action on a Resolution Approving an Agreement Between the Town of Addison and Stripe-A-Zone for the FY2023 Annual Pavement Markings Project and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$80,000.**
-

6. **Consider Action on a Resolution to Acknowledge a Donation in the Amount of \$30,000 to the WaterTower Theatre for Naming the Main Stage of the Addison Theatre Centre "The Terry Martin Main Stage".**
7. **Consider Action on a Resolution to Acknowledge a Donation in the Amount of \$75,000 to the WaterTower Theatre for Naming the Lobby of the Addison Theatre Centre "The Delynda Johnson Moravec Lobby".**
8. **Consider action on a Resolution Approving an Agreement with Fannin Tree Farm for On-call Contract Services for Tree Furnishing and Planting Services and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$200,000.**
9. **Consider Action on an Ordinance to Amend Article II, Section 2-31 of the Town's Code of Ordinances Related to Mayor and Councilmember Compensation.**
10. **Consider Action on a Resolution Approving an Interlocal Cooperation Agreement with the City of Farmers Branch, Texas for the Provision of Sanitary Sewer Services at a 1.0065 Acre Tract of Land Located in the City of Farmers Branch and Authorizing the City Manager to Execute the Agreement.**

Mayor Chow called for any requests to remove an item from the *Consent Agenda* for separate discussion.

Council Member Braun requested to remove Item No. 7 and Council Member Resnik requested to remove Item No. 9 from the *Consent Agenda* to discuss separately.

Mayor Chow called for a motion to approve *Consent Agenda* Items No. 1-6, 8, and 10 as presented.

MOTION: Deputy Mayor Pro-Tempore Ward moved to approve *Consent Agenda Items No. 1-6, 8, and 10* as presented. Mayor Pro-Tempore Wheeler seconded the motion. Motion carried unanimously.

**** Consent Agenda Item #7 ****

Council Member Braun requested to amend the Resolution naming the Lobby to include Ms. Moravec's full name –Delynda Johnson Moravec.

MOTION: Council Member Braun moved to amend Resolution to read “Delynda Johnson Moravec.” Council Member Resnick seconded the motion. Motion carried unanimously.

**** Consent Agenda Item #9 ****

Council Member Resnik requested that the Council/Mayor's increase be reflected in the FY 2024 Budget. Council Members Resnik and Gardner advised they were going to recuse themselves from voting on this item due to conflict of interest.

MOTION: Mayor Pro-Tempore Wheeler moved to amend Article II, §2-31 “Mayor and Council Member Compensation” to become effective in the FY 2024 Budget. Deputy Mayor Pro-Tempore Ward seconded the motion. Motion carried with recusal of Council Members Resnik and Gardner.

Editor’s Note: Conflict of Interest Statements from Council Members Resnik and Gardner are attached and included in the minutes of this meeting.

Resolution No. R23-037: Agreement SHI Government Solutions, Inc. - purchase/installation of Notebooks & Desktops.

Resolution No. R23-038: 2024 Vision Statement, Strategic Pillars, and Milestones.

Resolution No. R23-039: Agreement Stripe-A-Zone FY 2023 Annual Pavement Markings Project.

Resolution No. R23-040: WaterTower Theatre donation/naming Main Stage in honor of Terry Martin.

Resolution No. R23-041: WaterTower Theatre donation/naming Lobby in honor of Delynda Johnson Moravec.

Resolution No. R23-042: Agreement Fannin Tree Farm On-call Tree/Planting Services.

Resolution No. R23-043: Agreement City of Farmers Branch to provide Sanitary Sewer Service.

Ordinance No. O23-24: Amend Article II, §2-31 “Mayor & Council Member Compensation”.

Regular Items

11. **Hold a Public Hearing, Present, Discuss, and Consider Action on a Request for a Special Use Permit (SUP) to allow a Religious Institution on 1.28± Acres Located at the Northwest Corner of Celestial Road and Winnwood Road (5555 Celestial Road), that is currently zoned Planned Development (PD), through Ordinance No. O91-083. Case 1868-SUP/5555 Celestial Road (White Rock Chapel).** *[Ken Schmidt, Director of Development Services]*

The applicant has requested to postpone consideration of this item to a later date.

Public Hearing: Mayor Chow opened the Public Hearing to allow for citizen comments. No requests were made; therefore, Mayor Chow closed the Public Hearing.

MOTION: Deputy Mayor Pro-Tempore Ward moved to Postpone this Special Use Permit to a future meeting. Council Member Braun seconded the motion. Motion carried unanimously.

12. **Present, Discuss, and Consider Action on a Resolution Approving a Third Amended and Restated Memorandum of Understanding (MOU) Between the Town of Addison and Co-Developers AMLI Residential and Stream Realty for the Addison Circle Area Transit Oriented Mixed-Use Development Project and Authorizing the City Manager to Execute the Third Amended and Restated MOU.** *[David Gaines, City Manager; Ken Schmidt, Director of Development Services]*

At its April 12, 2022 meeting, the City Council approved a Memorandum of Understanding (MOU) between the Town and a co-developer team of AMLI Residential and Stream Realty Partners to execute a multi-phase, transit-oriented mixed-use development on Town and DART-

owned land in the vicinity of the future Addison Silver Line Station. Since that time, two subsequent amendments to the MOU were approved as the Town and the developer team worked to advance the due diligence, zoning and concept plan process, and draft incentive agreements, ground leases and other documents necessary to advance the project. The first amendment to the MOU, approved on November 8, 2022, provided an updated project schedule and due diligence period. The second MOU amendments included minor modifications to the office and restaurant/retail/entertainment square footage, the number of multifamily residential units and associated parking and site improvements. The Second Amendment, approved on January 10, 2023, also included refinements to the project schedule and set conditions for the developer team to pursue a new partner for the retail/restaurant/entertainment node at the core of the project.

As negotiations have continued on the final development agreements, additional amendments to the MOU have been identified. The purpose of this third amendment to the MOU is to reflect changes to the project schedule and to amend the terms and conditions of public incentives to support the development, reflecting the changing conditions for construction and financing costs. This item was discussed during the Closed Executive Session earlier this evening.

MOTION: Council Member Resnik moved to approve a Third Amended and Restated Memorandum of Understanding (MOU) Between the Town of Addison and Co-Developers AMLI Residential and Stream Realty as presented. Mayor Pro-Tempore Wheeler seconded the motion. Motion carried unanimously.

Resolution No. R23-044: Third Amended and Restated Memorandum of Understanding (MOU) with Co-Developers AMLI Residential and Stream Realty for the Addison Circle Area Transit Oriented Mixed-Use Development Project.

13. **Present, Discuss, and Consider Action on a Resolution Approving an Agreement for Professional Engineering Services Between the Town of Addison and Kimley-Horn and Associates, Inc. for the Design of the Montfort Drive Reconstruction Project, and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$792,700.** *[Shannon Hicks, Director of Public Works & Engineering]*

The purpose of this item is to approve a professional services agreement for the design of the reconstruction of Montfort Drive from Belt Line Road to the Town’s southern limit, which is located adjacent to the southern property line of the Village on the Parkway development. This project's scope is the complete replacement of the existing pavement, all Town-owned water and sanitary sewer lines, upgrades to the storm sewer system, and the installation of sidewalks and landscaping.

A complete scope of services can be found in Exhibit “A” of the agreement, but it generally includes: (1) Survey of the project area; (2) Subsurface utility exploration; (3) Geotechnical investigation; (4) ROW and easement acquisition services; (5) Traffic signal warrant study; (6) Project design; and (7) Design support during construction. Addison voters approved this project as part of Proposition B in the 2019 bond election and has an overall budget of \$7.3M. The design is anticipated to take approximately 12 months to complete.

Kimley-Horn Associates, Inc. (Kimley-Horn) qualified through a Request for Qualifications process in 2017 to perform design, project management, and construction management-related services for the Town. Kimley-Horn was selected to perform the design work for the Montfort Drive Reconstruction Project due to their experience with previous Town projects and familiarity with the Town's standards and specifications.

MOTION: Council Member Quintanilla moved to Approve an Agreement for Professional Engineering Services Between the Town of Addison and Kimley-Horn and Associates, Inc. for the Design of the Montfort Drive Reconstruction Project. Council Member Gardner seconded the motion. Motion carried unanimously.

Resolution No. R23-045: Agreement with Kimley-Horn & Associates, Inc. – Design of Montfort Drive Reconstruction Project.

14. **Present, Discuss, and Consider Action on an Ordinance Amending the Town's Annual Budget for the Fiscal Year Ending September 30, 2023 to Provide Funding for Tree Plantings, Comprehensive Plan Updates, Real Estate Consulting, Intersection Improvements, Prior Year Encumbrances, Staffing and Operation Study, Contractual Services for Ambulance Revenue Recovery, Cost of Service Study for the Transit Oriented Development, Compensation Market Study, 911 Grant, and Personnel Costs in the Development Services Department and Council Special Projects.** *[Steven Glickman, Chief Financial Officer]*

The Fiscal Year (FY) 2023 budget was adopted by the City Council on September 13, 2022. This is the first amendment of the FY 2023 Town of Addison annual budget. Each year, Finance staff reviews the budget to determine which items should be recognized with formal budget amendments. When budget variances occur that are outside of the authority of the City Manager, these adjustments are presented to the Council in the form of a budget amendment.

In the General Fund, the proposed budget amendment includes increased personnel costs of \$70,417, fully offset by an equal increase in sales taxes, for a Long-Range Planning position (\$55,417) in Development Services to assist with the comprehensive plan update and increased pay for the Mayor and Council Members (\$15,000).

An amendment is needed in the Self-Funded Projects Fund for prior year encumbrances for Metrocrest Services facility campaign (\$60,000), Police Department carpet replacement (\$40,150), and (\$50,000) for the DART engineering review. An amendment is also needed in the Self-Funded Projects Fund for consulting services in the amount of \$33,000 to acquire funding through Texas Ambulance Services Supplemental Payment Program that were received in September 2022, tree plantings in the amount of \$156,672 offset by tree mitigation funds in the same amount, \$400,000 for a comprehensive plan update, \$75,000 for crosswalk beacons and intersection improvements, \$32,000 for a staffing and operations study of the General Services Department, \$25,000 for a cost of service study for the Transit Oriented Development, \$50,000 for a compensation market study, and real estate brokerage services from Cushman and Wakefield in the amount of \$120,000 (these services were approved by Council on September 22, 2020).

An amendment is needed in the Grant Fund to account for a 911 grant received by member cities of the North Texas Emergency Communications Center. The proposed amendment recognizes \$190,000 in federal grant revenue and \$190,000 in grant expenditures.

An amendment is needed in the Capital Equipment Replacement Fund in the amount of \$621,233 for prior year encumbrances of vehicles and equipment that were not replaced in the prior year due to supply chain issues.

The table below illustrates the net impact the proposed budget amendment has on each fund and in total:

Fund	Impact on Budgeted Expenditures	Impact on Budgeted Revenues	Impact on Fund Balance
General Fund	\$70,417	\$70,417	\$-
Self-Funded Projects Fund	\$1,041,822	\$156,672	(\$885,150)
Grants Fund	\$190,000	\$190,000	\$-
Capital Replacement Fund	\$621,233	\$-	(\$621,233)
Total	\$1,923,472	\$417,089	(\$1,506,383)

MOTION: Council Member Gardner moved to approve Ordinance to Amend the Town’s Annual Budget with the amendment to delete Mayor & Council Members increased pay in the amount of \$15,000. Mayor Pro-Tempore Wheeler seconded the motion. Motion carried unanimously.

Ordinance No. O23-25: Amending FY 2023 Annual Budget.

15. **Present, Discuss, and Consider Action on a Resolution Approving an Agreement with 110% Inc. for a Park Impact Fee Study and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$132,895.** *[Janna Tidwell, Director of Parks & Recreation]*

The Parks Recreation and Open Space (PROS) plan identifies future funding strategies to help address long-term sustainability for Addison Parks. The plan recommends the Town analyze the incorporation of park impact fees related to parkland dedication, fee-in-lieu of alternative land requirements and park development fees to address redevelopment and growth in Addison. To ensure Addison Parks are being invested in to meet future Park demands and needs while maintaining the Town's current level of service, funds in the amount of \$132,500 were included in the FY 2023 Budget. Allocated funds are intended to be used for consultant fees and reimbursable expenses to conduct a study and develop an ordinance to define the application and use of Park Impact Fees.

To identify a qualified consultant, staff issued a Request for Qualifications (RFQ) Bid No. 23-54 on Periscope on January 19, 2023. One firm, 110%, Inc. (110%), submitted an RFQ packet by the deadline of February 23, 2023. Staff interviewed the firm and determined that 110% met the requirements of the submittal and scored high in all categories identified in the proposal. The development of a Park Impact Fee and an ordinance is highly specialized, and a significant number of responders was not anticipated.

A component of this study will include forming an advisory committee. Staff will solicit volunteers for this committee and bring a Council Agenda item forward later to appoint the advisory committee.

MOTION: Deputy Mayor Pro-Tempore Lori Ward moved to approve Agreement with 110%, Inc. for a Park Impact Fee Study. Council Member Braun seconded the motion. Motion carried unanimously.

Resolution No. R23-046: 110%, Inc. agreement for Park Impact Fee Study.

Adjourn Meeting

There being no further business to come before the City Council, Mayor Chow adjourned the meeting at 8:42 PM.

TOWN OF ADDISON, TEXAS

Bruce Arfsten, Mayor

ATTEST:

Irma G. Parker, City Secretary

Editor's Note: At the May 6th General Election, Bruce Arfsten was elected Mayor of Addison. Official Canvass was conducted May 17, 2023.