

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
JANUARY 23, 2024**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, January 23, 2024 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Nancy Cline, Deputy Mayor Pro Tem H.A. “Rusty” Pendleton, Councilmembers Christopher Axberg, Jason Carpenter, Richard Fleming, and Daisy Palomo. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

Councilmember Andrew Palacios was absent.

5:45 P.M. – COUNCIL BRIEFING ROOM

*****PRE-MEETING *****

Mayor Babick called the meeting to order at 5:45 p.m.

1. Receive information and discuss Agenda.

Agenda items were reviewed. Staff responded to Council’s questions.

Consent Item 24, a Planning and Zoning Commission (P&Z) appointment, was discussed. City Secretary Chloe Sawatzky stated that P&Z member Kathryn Taylor resigned due to moving out of the City. P&Z Alternate Dave Hermon is recommended to fill the open position. Consent Item 25 is to fill a position on the Neighborhood Advisory Commission (NAC) due to the resignation of Anna Hammonds in Seat 5. Current Alternates on the NAC do not meet residency requirements for Seat 5. Two candidates were presented, and Deputy Mayor Pro Tem Pendleton nominated Rebeca Masdon-Mercado to fill the vacancy. No other nominations were made.

*****EXECUTIVE SESSION*****

2. Council will convene into Executive Session pursuant to Texas Government Code:
 - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
3. Council will reconvene in Open Session to consider action, if any, on matters discussed in the Executive Session.

Executive Session was not convened

*****WORKSESSION*****

4. Receive A **Briefing On The Downtown-Belt Line Road Master Plan Update Project.**

Ravi Shah, Director of Development Services, provided background on the City of Carrollton’s Master Plan initiative that began in 2002. He advised that the plan to create a Downtown Master Plan was adopted in 2008. He reviewed the outcome of the Plan that includes housing, tenants, civic space, revitalization and redevelopment, and connectivity (specifically the DART Silver Line.) A map of the Downtown and Belt Line Road area was provided.

Mr. Shah reviewed that in January 2022 the City Council appointed the Transit Oriented Development (TOD) Committee to begin efforts toward a Downtown Master Plan. A Request for Qualifications (RFQ) for Planning Services was issued and 13 firms were interviewed by the TOD Committee in July 2023. Nine of those responded to the Request for Proposals (RFP) and in December 2023, six of those were interviewed by the Committee. M. Arthur Gensler & Associates, Inc. was determined to be the best fit. Mr. Shah reviewed the Scope of Services for the Master Plan Update and noted that their study should be complete by March 2025.

Barry Hand and Kim Dresdner of Gensler provided a presentation on their vision for the Carrollton Downtown area. Background on their key staff was provided. Components of Gensler’s RFP included several considerations for planning Carrollton’s Downtown including an entryway, historic component, a park, highway underpass areas, warehouse revitalization, and branding. It was noted that community engagement will be on-going throughout the project. A review of other Gensler historic downtown master plan projects included Waco, Sherman, Garland, Lewisville, Rowlett and others.

Councilmember Axberg inquired whether Gensler would have an active role in the types of retail or other business that might come to the Downtown area. Mr. Hand responded not at this stage but will in the future through developer connections. Councilmember Axberg also asked what particularly about Carrollton sets it apart from other downtown developments. Mr. Hand responded that it is visible from IH 35, and it has historic buildings. He stated that other cities are trying to create a “downtown” and Carrollton’s advantage is that it already has one.

Councilmember Fleming asked for some examples of what business might be included . Ms. Dresdner responded that will develop as the process progresses, adding that enhanced places for people will be included. Mr. Hand added that hopefully some corporate users will be brought into the area.

5. Receive An Update To Discussions On The Realignment And Redesign Of The Dudley Branch Trail From The Current City Council-Approved Alignment Along Dudley Branch Between Rosemeade Parkway And Eisenhower Street.

Jonathan Wheat, Director of Engineering, advised that in response to Council’s request January 9th, he is providing information from the City’s consultant in regard to updating the realignment of the Dudley Branch Trail from the current City Council approved alignment along Dudley Branch between Rosemeade Parkway and Eisenhower Street.

Mr. Wheat advised that the consultant responded to the inquiry as follows:

- 1) Active flooding is not an issue in the approved alignment or an alternative alignment.
- 2) Redesign would add approximately one additional year for the consultant, plus another three months for staff bidding on the project, etc.
- 3) The final cost impact is an estimated \$3,140,000, with \$3 million of that being lost federal funding.

Mayor Babick reminded Council that \$800,000 has been spent already on design, and that this is a bond project started several years ago. He advised that this project is already approved so unless Council wants to reconsider it, it should move forward. Brief discussion among Council followed with a consensus to move forward with the alignment as proposed.

6. Receive Briefing On Qualified Hotel Legislation.

Robert Winningham, Director of Economic Development, provided the Council with an overview of the Qualified Hotel Project (QHP) legislation. He explained that under the Texas Tax Code, Chapter 351, a city can develop a convention center next to a hotel by using 100 percent of the State portion of the Hotel Motel Tax (.06 cents) and the State portion of Sales Tax (.0625 cents) for ten years. No city money is used. He stated that Carrollton has not adopted this legislation.

Mr. Winningham briefed the Council on this legislation saying it was created in 1993 for the cities of Dallas, Houston, Austin, and San Antonio as a public finance tool for convention centers. In 1999 the legislation was expanded to include smaller cities. In 2021 the legislation was recodified and streamlined and today, 60 cities in Texas are eligible to use QHP.

Mr. Winningham provided the requirements to use QHP as follows:

- 1) The hotel must be owned by the city or be on land owned by the city.
- 2) The hotel and convention center must be within 1000 feet of each other (convention center cannot be inside hotel.)
- 3) The convention center must be a minimum of 10,000 square feet.
- 4) The convention center must be owned by the city. (May be sold after 10 years to a developer.)
- 5) The convention center and hotel can share common infrastructure.

Mr. Winningham reviewed other area Qualified Hotel Projects. Several North Texas cities have adopted the legislation. He noted that cities smaller than 175,000 population may have only one project; cities larger than 175,000 population may have more than one.

Mr. Winningham stated that while a consultant is not required to go through this process, it is recommended. Specialized experience is needed to navigate the legislative process and efforts should begin prior to the start of the next legislative session. The process includes soliciting for the city to be included with a House Bill, approval by both the House and Senate, and the Governor's signature is the last step. Once a city is approved to participate in the program there is a four-year window which the city has to initiate a project; otherwise, the process would start over.

Discussion followed regarding the size a convention center would ideally be. Mr. Winningham stated that since Carrollton has 12,000 square feet of convention center space already, he would recommend a proposed future facility be in excess of 20,000 square feet so as not to compete.

Mayor Babick and City Manager Erin Rinehart stated that funds for this type of consulting project were budgeted, and that having the QHP designation in advance may encourage future developments. The Mayor spoke in favor of moving forward, particularly since the city is taking other steps to develop the Downtown area. Council consensus was to move forward with pursuing the QHP designation.

7. Receive Briefing On The North Texas Emergency Communications Center (NTECC).

Executive Director of Public Safety Rex Redden presented this item. He advised that the four member cities of NTECC, Addison, Carrollton, Coppell and Farmers Branch, are all receiving this same presentation at their council meetings. He reviewed that NTECC was formed in 2014 to provide a high level of public safety communication services and better coordinate regional partnerships. It is the first 911 call center in Texas to utilize the AT&T ESI Network. As a result, the public safety radio system received a \$1 million upgrade at no cost to residents.

Mr. Redden stated that NTECC currently leases 11,800 square feet of space inside a data center. The original lease will expire in April 2029. The NTECC Board of Directors (BOD), consisting of the city managers from each of the member cities, have looked at whether to extend the current lease, or consider other options. When looking at a timeline the BOD determined that if a new building is warranted construction would need to begin no later than October 2025. They provided directions to engage a consultant to assess the needs for the next 20 years, develop a cost estimate, and develop space needs. Consultant Freeze and Nichols, Inc. was engaged and determined that a 23,000 square foot building would be needed and provided concept plans. It was determined that retrofitting an existing building would be cost prohibitive. Cost to lease over a 30-year period would be approximately \$30 million, while building new would cost approximately \$25 million. A breakdown of cost per each member city was provided.

Mr. Redden stated that the BOD is recommending building a new facility and a timeline was provided.

Councilmember Carpenter inquired where a new facility might be located. Mr. Redden replied that is undetermined. Councilmember Palomo inquired how many people would occupy the building. Mr. Redden said approximately 30 communications personnel plus IT personnel, and during daytime hours there would be additional administrative staff.

8. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Worksession concluded at 7:09 p.m.

*****REGULAR MEETING 7:00 P.M.*****

Mayor Babick called the Regular meeting to order at 7:15 p.m.

INVOCATION – Councilmember Daisy Palomo

PLEDGE OF ALLEGIANCE – Deputy Mayor Pro Tem Rusty Pendleton

PRESENTATIONS

9. Present A Proclamation Recognizing School Board Appreciation Month.

Mayor Babick stated that January is School Board Appreciation Month. The City of Carrollton is served by three school districts: Carrollton-Farmers Branch ISD and Lewisville ISD, and Dallas ISD. He read a proclamation recognizing the Districts and presented proclamations to the ISD School Board Trustees who were present.

PUBLIC COMMENT

- 10. Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Mayor Babick opened and closed the public comment period with no one wishing to speak.

CONSENT AGENDA

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)*

Mayor Babick advised that Consent Agenda Item 24 and 25 are being pulled from the Consent Agenda for separate consideration.

Mayor Pro Tem Cline moved to approve Consent Agenda Items 11-23; second by Councilmember Axberg. The motion was approved with a 6-0 vote. (Councilmember Palacios absent.)

MINUTES

- *11. Consider Approval Of The January 9, 2024 Regular Meeting Minutes.**

BIDS & PURCHASES

- *12. Consider Approval Of BID #24-005 For The Crockett Drive Alley Reconstruction Project To Cam-Crete Contracting, Inc. In An Amount Not To Exceed \$415,192.00.**
- *13. Consider Approval Of The Purchase Of One 144-Inch Lazer Z X-Series Mower Unit From Vieth Tractor Through An Interlocal Agreement With The Omnia Purchasing Cooperative In An Amount Not To Exceed \$76,412.33.**
- *14. Consider Approval Of The Purchase Of One Case CX60C Mini Excavator, One Case SR210B Skid Steer, One Case 590SN Backhoe And One Case CX170E Track Hoe From Associated Supply Company (ASCO) Through Interlocal Agreements With The**

BuyBoard And Sourcewell Purchasing Cooperatives In An Amount Not To Exceed \$445,850.00.

- *15. Consider Authorizing The City Manager To Reject All Bids Received For The Plano Parkway Park Project.**

ORDINANCES

- *16. Consider An Ordinance Amending The Operating And Capital Budget For Fiscal Year October 1, 2023, Through September 30, 2024.**
- *17. Consider An Ordinance Of The City Council Of The City Of Carrollton, Texas, Ordering An Election To Be Held In Said City On The Next Uniform Election Date, The Same Being May 4, 2024, For The Purpose Of Submitting To The Qualified Voters Of The City The Place At Which Said Election Is To Be Held; Making Provisions For The Conduct Of That Election And Other Provisions And Relating To The Purpose Of This Ordinance; And Providing An Effective Date.**
- *18. Consider An Ordinance Ordering A General Election On May 4, 2024 To Elect Council Places 1, 3, 5, And 7.**

RESOLUTIONS

- *19. Consider A Resolution Revising The Single-Family Rehabilitation Incentive Policy.**
- *20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With M. Arthur Gensler Jr. & Associates, Inc. For Planning Services Related To Preparing The Downtown-Belt Line Road Corridor Master Plan Update In An Amount Not To Exceed \$374,659.00.**
- *21. Consider A Resolution Authorizing The City Manager To Negotiate And Execute All Necessary Documents For The Purchase Of Approximately 16.2 Acres In Fee Simple And 0.58 Acres As A Public Access Easement From CFBISD For Property Located At Or Near Creekview High School, 3201 Old Denton Rd, City Of Carrollton, Denton County, Texas, In An Amount Not To Exceed \$125,366.00.**
- *22. Consider A Resolution Declaring The Necessity To Acquire Certain Utility Easements For The Construction Of The Ridgecrest Phase 1 Reconstruction Project; Determining The Public Use And Necessity For Such Acquisition; Authorizing The Acquisition Of Property Rights Necessary For Said Project; Appointing An Appraiser And Negotiator As Necessary; Authorizing The City Manager Of The City Of Carrollton, Texas, To Establish Just Compensation For The Property Rights To Be Acquired; Authorizing The City Manager To Take All Steps Necessary To Acquire The Needed Property Rights In Compliance With All Applicable Laws And Resolutions; And Authorizing The City Attorney To Institute Condemnation Proceedings To Acquire The Property If Purchase Negotiations Are Not Successful.**

- *23. Consider A Resolution Authorizing The City Manager To Execute An Amended Subrecipient Interlocal Agreement With Dallas Area Rapid Transit (DART) For The Downtown Carrollton Multi-Modal Transit Hub Federal Transit Administration Grant.**
- *24. Consider A Resolution Appointing A Member To Serve On The Planning And Zoning Commission.**

Mayor Babick stated that Planning and Zoning Commission member Kathryn Taylor has vacated her seat, and the recommendation is to appoint the Alternate, Dave Hermon.

Mayor Pro Tem Cline moved to approve appointing Dave Herman to the Planning and Zoning Commission; Councilmember Carpenter seconded the motion. The motion was approved with a 6-0 vote. (Councilmember Palacios absent.)

- *25. Consider A Resolution Appointing A Member To The Neighborhood Advisory Commission.**

Mayor Babick stated that Anna Hammonds has vacated her seat on the Neighborhood Advisory Commission (NAC) and the Alternate does not meet residency requirements for that seat. Therefore, two candidates were presented for consideration. During the worksession, Rebeca Masdon-Mercado was nominated to fill the position.

Councilmember Fleming inquired who the other candidate is. Mayor Babick said it is Pam Mulligan who served on the NAC previously. He added that Ms. Masdon-Mercado has served on other committees previously.

Councilmember Palomo moved to approve Rebeca Masdon-Mercado to fill the vacancy on the NAC; Deputy Mayor Pro Tem Pendleton seconded the motion. The motion was approved with a 5-0 vote. Councilmember Fleming voted in opposition. (Councilmember Palacios absent.)

PUBLIC FORUM

- 26. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.**

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Lourdes Menendez, 1300 Golden Gate Dr.: Stated she has a petition to present to the Council with signatures of residents concerned about a possible lack of supervision at a street reconstruction project.

Dulce Flores, 10049 La Prada Dr.: Spoke with concerns about the Israel and Palestine/Gaza conflict, hostage negotiations, and ceasefire.

Aleena Elasmr, Carrollton: Spoke with concerns regarding the conflict between Israel and Gaza and requested the Carrollton City Council support a ceasefire.

Eman Fahmy, 114 Midcrest Dr.: Spoke with concerns regarding the conflict between Israel and Gaza and requested the Carrollton City Council support a ceasefire.

Rola Hamza, 5020 Loma Alta Dr.: Spoke with concerns regarding the conflict between Israel and Gaza and requested the Carrollton City Council support a ceasefire and halt the funding of Israel.

Andrea Valladares, 4805 Tahoe Trail: Spoke with concerns regarding the conflict between Israel and Gaza and requested the City of Carrollton stop financing Israel.

Cards were received from the following citizens who did not wish to speak but expressed support for the previous speakers regarding the Israel/Gaza conflict:

- Mohamed Azzem
- Arif Durani
- Chase Fitzpatrick
- Shireefa Hassan
- Zoe Montano

ADJOURNMENT - Mayor Babick adjourned the meeting at 7:44 p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor