

City of Carrollton

1945 E. Jackson Road
Carrollton, TX 75006



REGULAR WORKSESSION & MEETING

Tuesday, December 3, 2024

5:45 PM

CITY HALL, 2nd Floor

City Council

Mayor Steve Babick
Mayor Pro Tem Richard Fleming
Deputy Mayor Pro Tem Christopher Axberg
Councilmember Jason Carpenter
Councilmember Andrew Palacios
Councilmember Nancy Cline
Councilmember Daisy Palomo
Councilmember Rowena Watters

*****PRE-MEETING / EXECUTIVE SESSION*******5:45 P.M. – COUNCIL BRIEFING ROOM**

1. Receive **information and discuss Agenda.**
2. Council will convene in **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.
 - **Section 551.072** to discuss certain matters regarding real property.
 - **Section 551.087** to discuss Economic Development.
3. Council will **reconvene in open session** to consider action, if any, on matters discussed in the Executive Session.

*****WORKSESSION*****

4. Present **The Status Report For The Downtown Master Plan Update.**
5. Discuss **The 2025 Sustainability Plan.**
6. Receive **Briefing On The Floodplain Management And Mapping Project.**
7. **Mayor And Council Reports And Information Sharing.**

*****REGULAR MEETING 7:00 PM*******INVOCATION - Councilmember Nancy Cline****PLEDGE OF ALLEGIANCE - Councilmember Daisy Palomo****PRESENTATIONS**

8. Present **35-Year Service Coin To Fire Captain Greg Brown.**
9. Recognize **Community Groups For Exemplifying Council's Vision.**
10. Present **Certificates To The Environmental Leadership Award Recipient And To The 2024 Environmental Distinction Award Recipients.**

PUBLIC COMMENT

11. **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.

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.)*

MINUTES

- *12. Consider **Approval Of The November 5, 2024 Regular Meeting Minutes.**
- *13. Consider **Approval Of The November 19, 2024 Regular Meeting Minutes.**

CONTRACTS & AGREEMENTS

- *14. Consider **Authorizing The City Manager To Execute Change Order No. 2 With Klutz Construction Company For Additional Work As Part Of The Coyote Ridge / Furneaux Creek Drainage Improvements Project, In An Amount Not To Exceed \$62,117.00, Increasing The Total Project Contract To An Amount Not To Exceed \$1,526,931.00.**
- *15. Consider **Authorizing The City Manager To Approve A Construction Contract With Apple Pavement Services For The City-Wide Sidewalk Improvements Phase 4 Project In An Amount Not To Exceed \$1,589,772.75.**

- *16.** Consider Authorizing The City Manager To Enter Into An Agreement With Turf And Soil Management, Through TIPS Purchasing Cooperative, To Purchase Two (2) Autonomous Mowers In An Amount Not To Exceed \$62,284.53.
- *17.** Consider Authorizing The City Manager To Enter Into An Agreement With Cigna Pursuant to RFP # 24-012 for Medical/Rx Stop Loss Insurance In An Amount Not To Exceed \$990,709.
- *18.** Consider Authorizing The City Manager To Approve The Purchase Of One Chevrolet Tahoe And One Chevrolet Silverado 1500 EV From Lake Country Chevrolet Through An Interlocal Agreement With The TIPS Purchasing Cooperative In An Amount Not To Exceed \$157,493.70.
- *19.** Consider Authorizing The City Manager To Enter Into An Agreement For The Purchase Of One Ambulance Body From Southern Emergency & Rescue Vehicle Sales Through An Interlocal Agreement With HGAC Purchasing Cooperative In An Amount Not To Exceed \$344,810.00.
- *20.** Consider Authorizing The City Manager To Enter Into An Agreement For The Purchase Of One Ford F-550 Ambulance Chassis From Sam Pack Ford Through An Interlocal Agreement With The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$70,013.14.

ORDINANCES

- *21.** Consider An Ordinance Designating The Number Of Positions In Each Classification Of Firefighters In The Carrollton Fire Department.
- *22.** Consider An Ordinance Of The City Council Of The City Of Carrollton, Texas, Amending Title V Public Works, Chapter 52 Of Carrollton's Code Of Ordinances By Adopting Revisions to Section 52.054 Disconnection For Late Payment.

RESOLUTIONS

- *23.** Consider A Resolution Authorizing The City Manager To Execute A Lease With Agate Arts, LLC. D/B/A The Art Table For The Use of City-Owned Property Located at 1003 West Main Street.
- *24.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Change Amendment No. 3 With HDR Engineering, Inc. For The Dudley Branch Channel Improvements Project In An Amount Not To Exceed \$45,000 For A Revised Contract Amount Not To Exceed \$593,949.00.

- *25. Consider A Resolution Ratifying A Member To Serve On The Civil Service Commission.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

26. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow Short-Term Rental On An Approximately 0.164-Acre Lot Zoned (SF-7/14) Single-Family Residential District And Located At 1629 Palisades Drive; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-150 Palisades Drive Short-Term Rental.
27. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Repeal Three Special Use Permits Numbered 371 (2227 High Point Drive) For An Accessory Building In Excess of 600 Square Feet And 390 (1035 North IH-35E) For Automotive Mechanical And Electrical Repair And Maintenance And 099 (1035 North IH-35E) Mini-Warehouse With A Caretaker's Apartment; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-156 Repeal Of Three SUPs.
28. Hold A Public Hearing And Consider A Resolution To Adopt The Program Year 2023 Consolidated Annual Performance And Evaluation Report On The Use Of Community Development Block Grant Funds.

PUBLIC FORUM

29. 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.
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ADJOURNMENT

CERTIFICATE - I certify that the above agenda giving notice of meeting was posted on the bulletin board at the City Hall of Carrollton, Texas on the 27th day of November 2024 at 12:00p.m.

Chloe Sawatzky

Chloe Sawatzky, City Secretary

This building is wheelchair accessible. For accommodations or sign interpretive services, please contact City Secretary's Office at least 72 hours in advance at 972-466-3001. Opportunities and services are offered by the City of Carrollton without regard to race, color, age, national origin, religion, sex or disability.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda. Further, the Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a regional, state or national convention or workshop, social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conference; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

FIREARMS PROHIBITED at City Council meetings pursuant to Texas Penal Code Sections 46.035(c) and 30.05.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6967

Agenda Date: 12/3/2024

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 4.

CC MEETING: December 3, 2024

DATE: November 13, 2024

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Shannon Hicks, Assistant City Manager

Present The **Status Report For The Downtown Master Plan Update.**

BACKGROUND:

The Downtown Carrollton Master Plan Update is a City Council Strategic Goal. On January 23, 2024 City Council selected Gensler to update the 2008 Downtown Master Plan.

Gensler will present a status report for the ongoing Downtown Master Plan update, including accomplishments, an overview of the 75-percent draft plan, and next steps.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6996

Agenda Date: 12/3/2024

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 5.

CC MEETING: December 3, 2024

DATE: November 19, 2024

TO: Erin Rinehart, City Manager

FROM: Cory Heiple, Environmental Services Director
Shannon Hicks, Assistant City Manager

Discuss **The 2025 Sustainability Plan.**

BACKGROUND:

The purpose of this work session is to provide a briefing of the draft 2025 Sustainability Plan and give the City Council an opportunity to discuss the proposed plan.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6992

Agenda Date: 12/3/2024

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 6.

CC MEETING: December 3, 2024

DATE: November 19, 2024

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Shannon Hicks, P.E., Assistant City Manager

Receive **Briefing On The Floodplain Management And Mapping Project.**

BACKGROUND:

Staff and the City's Consultant will present a briefing and update on the citywide floodplain management and mapping project.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 5231

Agenda Date:

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 7.

Mayor And Council Reports And Information Sharing.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 7007

Agenda Date: 12/3/2024

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentations

Agenda Number: 8.

CC MEETING: December 3, 2024

DATE: November 26, 2024

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Present **35-Year Service Coin To Fire Captain Greg Brown.**



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 7006

Agenda Date: 12/3/2024

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentations

Agenda Number: 9.

CC MEETING: December 3, 2024

DATE: November 26, 2024

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Recognize **Community Groups For Exemplifying Council's Vision.**



Agenda Memo
File Number: 6995

Agenda Date: 12/3/2024

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentations

Agenda Number: 10.

CC MEETING: December 3, 2024

DATE: November 19, 2024

TO: Erin Rinehart, City Manager

FROM: Cory Heiple, Environmental Services Director
Shannon Hicks, Assistant City Manager

Present Certificates To The Environmental Leadership Award Recipient And To The 2024 Environmental Distinction Award Recipients.

BACKGROUND:

The presentation of the Environmental Leadership Award and the Environmental Distinction Award provides an opportunity for the City of Carrollton to formally recognize regulated industries that strive for environmental excellence in their operations. This is the 22nd year the Environmental Services Department has presented these awards during the City Council Meeting. This year, ten facilities are receiving the Environmental Leadership Award: •

Electro Plate Circuitry

- Image Industries
- International Paper - Belt Line
- Quality Powder Coating
- Quantum Global Technologies
- Ralcorp Frozen Bakery Products
- Teasdale Latin Foods
- Texas Finishing Company
- Wash Solutions
- Western Extrusions

The Environmental Distinction Award recognizes companies that go beyond mere compliance to champion environmental sustainability in the community. Candidates for the Environmental Distinction award must be environmentally compliant and must demonstrate process improvement, minimized environmental impacts, and community involvement.

IMPACT ON COMMUNITY SUSTAINABILITY:

This recognition exemplifies the City's resolve to promote environmental excellence and to improve the quality and vitality of the community.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff requests that Mayor Babick and Councilmember Fleming present certificates of recognition to the recipient of the Environmental Leadership Award and the 2024 Environmental Distinction Award.



Agenda Memo

Agenda Date:

Version: 1

Status: Public Forum

In Control: City Council

File Type: Public Forum

Agenda Number: 11.

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City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 7004

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *12.

CC MEETING: December 3, 2024

DATE: November 26, 2024

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider **Approval Of The November 5, 2024 Regular Meeting Minutes.**

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
NOVEMBER 5, 2024**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, November 5, 2024 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Richard Fleming, Deputy Mayor Pro Tem Christopher Axberg, Councilmembers Nancy Cline, Jason Carpenter, Andrew Palacios, Daisy Palomo, and Rowena Watters. Also present were City Manager Erin Rinehart, Assistant City Manager Chrystal Davis, Assistant City Manager Shannon Hicks, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

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.

Executive Session was convened at the conclusion of the Worksession Items.

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

2. Council convened the Executive Session at 7:13 p.m. 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 reconvened in Open Session at approximately 7:20 p.m. to consider action, if any, on matters discussed in the Executive Session. No action was taken.

Regular Session convened after the conclusion of the Executive Session.

*****WORKSESSION*****

4. Receive A Presentation Regarding Carrollton's Business Retention And Industrial Development Program.

Ravi Shah, Executive Director of Development Services, presented this item. He provided an overview of a new program designed to highlight and focus on Carrollton's industrial areas. This program will help to support commercial and industrial businesses by fostering and maintaining relationships with those businesses. Mr. Shah said the program will include outreach efforts, expansion opportunities, economic development initiatives, surveys and feedback, issue resolution, networking events, and personalized support for businesses.

Mr. Shah stated that Carrollton has eight (8) industrial districts. Those include:

- 1) Frankford Trade Center
- 2) Trinity Mills Area
- 3) Old Denton Industrial Complex
- 4) Luna Industrial Park
- 5) Valwood Industrial Park
- 6) Beltline Industrial Park
- 7) Midway South Industrial
- 8) International Business Park

Mr. Shah provided location maps for the districts, as well as information on the size, number of buildings, and tax values that amount to \$3.6 billion for all districts combined. He briefly summarized several of the larger businesses in these areas.

Mr. Shah stated that as part of this new initiative, key performance measures will be created by staff and examples of those were provided. Business recognitions are also planned; some are already in place however additional suggestions were provided.

Mr. Shah advised that a one-stop shop will be available for those individuals who visit Carrollton with an interest in expanding or locating in the city. He noted that while the space within the industrial districts is largely full, there are possible ways to create expansion space. He added that a new digital brochure will be available on the city website to explain how the city of Carrollton plans to support its industrial districts.

Mayor Babick and several Council Members offered positive remarks on this initiative.

5. Receive Update On The EPA Lead And Copper Rule Revisions.

Jonathan Wheat, Director of Engineering, reviewed that on December 16, 2021, the Environmental Protection Agency (EPA) announced new Lead and Copper Rule Revisions. As a result of those new rules, the Carrollton City Council approved \$1.2 million in the FY24 budget to begin a process for inventorying all water lines in the city to determine whether there are any lead lines. On January 9, 2024, a contract for Water Service Line Inventory was approved. Since that time all of the city-owned water lines have been checked and most of the privately owned water lines have been identified. The inventory was submitted to the Texas Commission on Environmental Quality (TCEQ) on October 9, 2024. Mr. Wheat added that there are 292 residences remaining that need to be inventoried and a flyer advising those residents of the new requirements will be mailed to them on November 8, 2024.

Mr. Wheat advised that the next steps include completing a physical review of the remaining properties to determine whether there are any lead water lines then await further direction from the EPA and TCEQ. All water lines will continue to be proactively maintained.

6. Receive Update On Managed Competition.

Krystle Boise, Strategic Services Director, presented an overview of the Managed Competition program that the city of Carrollton has engaged in since 2001. She explained that Managed Competition is the process of identifying the most cost effective methods of delivering high quality services to the residents of Carrollton. Ms. Boise stated that all city departments with the exception of Police and Fire have gone through the process in the past or will in the future.

Ms. Boise provided details of the strategies used in the Managed Competition process. She advised that it typically takes approximately three (3) months to complete, however the timeline is flexible. As a result of the Manage Competition process, there have been occasions where decisions were made to outsource a function because a better value was available by doing so. Fleet Services is an example.

Ms. Boise provided a list of departments that have completed the process (at least once), are currently in the process, or are coming up in the future. She provided details of the process and the outcomes for Information Technology- Operations and Analysis, Purchasing and General Services, and Animal Services. In Information Technology, there was an estimated savings of \$1 million over five years; in Purchasing the result was an added position of Senior Buyer; and, in Animal Services an Animal Control Officer was elevated to the position of Senior Animal Services Officer.

Discussion followed with questions regarding vendors and employee performance reviews. It was noted that the city’s vendors do not go through the Managed Competition process, and employee performance reviews often incorporate recommendations from the Managed Competition process.

7. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Executive Session was convened following the Worksession.

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

Mayor Babick called the Regular meeting to order at approximately 7:23 p.m.

INVOCATION – Councilmember Jason Carpenter

PLEDGE OF ALLEGIANCE – Councilmember Christopher Axberg

PUBLIC COMMENT

8. 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.

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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.)*

Councilmember Cline moved to approve Consent Agenda Items 9-22; second by Councilmember Palomo. The motion was approved with a unanimous 7-0 vote.

MINUTES

- *9. Consider Approval Of The September 24, 2024 Regular Meeting Minutes.**
- *10. Consider Approval Of The October 22, 2024 Regular Meeting Minutes.**

CONTRACTS & AGREEMENTS

- *11. Consider Authorizing The City Manager To Enter Into An Agreement With Vertosoft LLC, Through The TIPS Purchasing Cooperative, For The Purchase Of Invoice Cloud Credit Card Gateway Payment Processing Services In An Annual Amount Not To Exceed \$150,000, For A Five-Year Total Amount Not To Exceed \$750,000.00.**
- *12. Consider Authorizing The City Manager To Enter Into A Contract Pursuant To RFP #24-022 With ByWater Solutions, Inc. For Integrated Library System In An Amount Not To Exceed \$42,380.00 For Year One And A Total Five-Year Contract Amount Not To Exceed \$124,821.00.**
- *13. Consider Authorizing The City Manager To Execute An Amendment To The Contract With Dallas Harmony Construction, Through BuyBoard, For Historical Restorations To A.W. Perry Homestead Museum, Increasing The Total Compensation By \$145,807.20 For A New Total Amount Not To Exceed \$680,031.00.**
- *14. Consider Authorizing The City Manager To Execute An Amendment To The Contract With Dunaway Associates, LLC, Pursuant To RFQ# 23-017 Parks And Recreation Master Plan, For Increased Scope Of Services Increasing The Total Compensation By \$30,000.00 For A New Total Amount Not To Exceed \$265,155.00.**
- *15. Consider Authorizing The City Manager To Enter Into An Agreement With MCCi, LLC Through BuyBoard Purchasing Cooperative For Records Management Software In An Amount Of \$448,613.96 For The First Year And A Five-Year Total Amount Not To Exceed \$1,018,068.56.**

- *16. Consider Authorizing The City Manager To Enter Into Agreements With Brodart Inc. And Midwest Tape, Through An Interlocal Agreement With The State Of Texas, For Library Materials In An Amount Not To Exceed \$270,000 For Fiscal Year 2025.**
- *17. Consider Authorizing The City Manager To Enter Into An Agreement With AVI Systems, Inc. Through An Interlocal Agreement With TIPS Purchasing Cooperative For Audio Visual Equipment, Installation, And Support Services In The Council Chambers And Council Briefing Room In City Hall In An Amount Not To Exceed \$1,195,700.00.**

ORDINANCES

- *18. Consider An Ordinance Amending The Code Of Ordinances Of The City By Amending Chapter 34, Municipal Boards, Commissions, And Advisory Committees.**

RESOLUTIONS

- *19. Consider A Resolution Appointing Members To Serve On The Traffic Advisory Committee.**
- *20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With APM & Associates, Inc For Additional Professional Engineering Services On Windmill Hill Street Reconstruction Project In An Amount Not To Exceed \$81,800.00, Increasing The Total Project Contract To An Amount Not To Exceed \$1,273,883.00.**
- *21. Consider A Resolution Authorizing The City Manager To Negotiate And Execute All Necessary Documents For The Purchase of Approximately 0.3015 Acres As Public Right Of Way At 1308 Clint Street For The Carrollton Heights Reconstruction Project In The Amount Not To Exceed \$235,000.00.**
- *22. Consider A Resolution Authorizing The City Manager To Enter Into A Jail Management System Services Agreement With Black Creek Integrated Systems Corporation For An Amount Not To Exceed \$50,616.50 For the First Year And A Five Year Total Not To Exceed Amount Of \$245,173.50.**

PUBLIC HEARING – INDIVIDUAL CONSIDERATION

- *23. Hold A Public Hearing To Consider An Ordinance To Establish A Special Use Permit For A Smoking Lounge (Hookah Lounge) In An Approximately 3,370 Square Foot Lease Space Zoned PD-05 For The (LR-2) Local Retail District And Located At 2640 Old Denton Road, Suites 132 And 140; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-115 Hookah Lounge Extension.**

Planning Manager Loren Shapiro presented this item. He advised this is a request to expand an existing smoke shop. He provided a zoning map of the location. Mr. Shapiro reviewed that a

Certificate of Occupancy was issued in 2017 for Suite 140 allowing a tobacco store, which also allowed a hookah lounge under the definition of tobacco stores before the zoning regulations changed in 2022 requiring a SUP for smoking lounges (includes hookahs). It has operated as such since then. He said that in order to expand into the adjacent suite, a Special Use Permit is required.

Mr. Shapiro advised the Council that when the Planning and Zoning considered this item, they considered whether this is an appropriate land use and voted not to recommend approval to the Council. Due to that, if the Council decides to approve the SUP request, then it must be approved by a super-majority, which is 6 of 7 votes in favor. Mr. Shapiro added that due to a number of police calls to the business, staff also does not recommend approval. However, should the Council approve, then staff is recommending stipulations.

Mayor Babick asked if the applicant is present and would like to speak.

Kashish Chadha, applicant, described how the two suites would be combined by removing a portion of the adjoining wall between suites 140 and 132. He said that his intent is to gain more space. He said that the current operating hours are 6 p.m. to 2 a.m.

Councilmember Axberg confirmed with staff that there would be three (3) exterior doorways by combining the suites. He asked what the size of each suite is. The applicant responded.

Councilmember Carpenter stated that he does not believe this to be an appropriate use of the space.

Councilmember Carpenter moved to deny the request in Item 23; second by Councilmember Palacios. Motion was approved with a vote of 6-1. Councilmember Fleming voted in opposition.

PUBLIC FORUM

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Mayor Babick opened the public forum. There being no speakers, Mayor Babick closed the public forum.

ADJOURNMENT - Mayor Babick adjourned the meeting at 7:43 p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 7008

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *13.

CC MEETING: December 3, 2024

DATE: November 26, 2024

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider **Approval Of The November 19, 2024 Regular Meeting Minutes.**

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
NOVEMBER 19, 2024**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, November 19, 2024 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Richard Fleming, Deputy Mayor Pro Tem Christopher Axberg, Councilmembers Nancy Cline, Jason Carpenter, Andrew Palacios, Daisy Palomo, and Rowena Watters. Also present were City Manager Erin Rinehart, Assistant City Manager Chrystal Davis, Assistant City Manager Shannon Hicks, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

Councilmember Daisy Palomo attended the Worksession and Regular Session via teleconference. Deputy Mayor Pro Tem Christopher Axberg attended the Worksession via teleconference.

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. Appointments to various Appraisal Districts and the Traffic Advisory Committee were determined.

Mayor Baback advised that Item 17 will be pulled from the Consent Agenda.

Staff responded to Council's questions. Councilmember Carpenter requested Item 21 be pulled from the Consent Agenda for separate discussion.

*****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 **Legislative Update.**

Krystle Boise, Strategic Services Director, told the Council that the 89th Texas Legislative Session is upcoming. On November 11th, the pre-filing of bills began and since then over one thousand have been filed. She introduced the city's Legislative Consultant Larry Gonzalez, who is a former State Representative.

Mr. Gonzalez provided additional biographical information on himself. He reviewed the recent election which resulted in 32 new Texas House Representatives. He reviewed House Committees and the Texas Senate composition. Mr. Gonzales advised that there will be significant changes to the leadership in the House and Senate and a significant loss of institutional knowledge due to the new membership. The U.S. Senate election results were briefed. Mr. Gonzales provided an overview of data related to the Presidential election results.

Mr. Gonzalez provided an overview of issues the Texas House will be dealing with for the next session. Those include the budget, the electric grid, water (and use of water for data centers, artificial intelligence, etc.), border security, local control, property tax/appraisal caps, and destination sales tax versus point of origin sales tax. School vouchers are another major issue that the Governor plans to continue pursuing.

Brief discussion in response to Councilmember Cline's questions regarding flood water funding and Speaker of the House election followed. Mr. Gonzalez will keep City officials apprised of bills filed that will impact cities.

Ms. Boise stated that the City of Carrollton has prepared its first Legislative Agenda, which will be provided to Mr. Gonzalez upon approval. She briefed the Council on how the list is being created and stated it includes Council's priorities as previously discussed.

Consent Item 31 is to adopt the proposed Legislative Agenda.

5. Receive Update From DART.

DART President and CEO Nadine Lee provided an update on the current state of DART in Carrollton as well as its future plans. She reviewed services provided in Carrollton, ridership, GoLink services, security, cleanliness, and reliability. She noted that customer satisfaction is trending upward; DART's goal is to continue to increase customer satisfaction.

Ms. Lee reviewed future plans, goals, and objectives. The bus network was briefed and a project map was provided. Ms. Lee provided status highlights of the Silver Line, noting that construction is 80 percent complete. Ms. Lee added that on November 29th, DART's 3rd annual Holiday Buses and Trains program will begin. Some of the buses and trains will be decorated and lit. A schedule for those coming through Carrollton will be provided.

6. Discuss The Utility Fund, Water And Wastewater Rates.

Melissa Everett, Finance Director, stated that the Utility Fund is an Enterprise Fund, which means that user fees pay for all services related to utilities. Those include wastewater treatment (TRA), water (DWU), public works operations related to water and wastewater, fleet, debt, and capital projects (Pay-as-you-go Funding, Revenue Bond Funding.) She noted that the City's adopted Financial Policy establishes a required Fund Balance of 90 days and a bond rating goal of AAA.

Ms. Everett stated that the City has representatives on the TRA and DWU Advisory Boards, which are the City's two largest expenses. She added that several years ago the City began to phase in rate increases to prepare for increased construction cost, debt issuances, and TRA cost increases. In FY23 the rate increase was 5 percent and in FY24 it was 5.3 percent. She noted that if any excess funding is identified at the end of the year, those funds can be allocated as pay-go funding for water and wastewater projects. An overview of anticipated TRA rate increases, DWU increases, capital expense and bond requirements for FY25 through FY29 were provided.

Ms. Everett provided a list of projects that will be paid for with pay-go funding in FY25 as well as a list of bond projects that were reviewed.

Ms. Everett stated that the Finance Department includes a preliminary rate increase in the annual budget process in August, however because over 35 percent of the utilities' annual revenue is generated between July and September, the proposed rate increases are presented to Council in November. She advised that the FY24 year-end will have a fund balance of 112 days. At the end of FY25, it is expected that there will be 76 days unless a rate increase is adopted. This does not meet the requirements in the Financial Policy and would risk the City's AAA bond rating, resulting in increased costs for capital funding.

Ms. Everett advised that staff is recommending a 7.25 percent increase in utility rates and provided an example of impacts to a resident's utility bill for FY25. A chart comparing Carrollton's utility rates with Carrollton's Comparison Cities was provided.

Councilmember Carpenter added that the Finance Committee has reviewed this item and agree with staff's recommendation.

Consent Item 24 is for consideration of an ordinance amending the City's fee schedule implementing the recommended rate increase of 7.25 percent.

At 6:59 p.m., at the conclusion of Item 6, Mayor Babick adjourned the Worksession to convene the Regular Meeting.

At 7:45 p.m. and following the conclusion of the Regular Meeting, the Worksession was reconvened.

7. Receive Briefing Regarding City-Owned Property Located At The Southwest Corner Of President George Bush Turnpike And IH-35E (Former NTTA Site).

Ravi Shah, Executive Director of Development, introduced this item. He advised this is a briefing on the Preliminary Engineering Study for city-owned property. A location map was reviewed. Mr. Shah reviewed that the property includes 121 acres and is the former site for NTTA. The City purchased the site as-is in November 2020. The Preliminary Engineering Study was conducted by Halff & Associates and identifies how much of the land can be developed.

Jonathan Wheat, Director of Engineering, provided an overview of the Study results which include the Boundary Verification, Topographic Survey, and Subsurface Utility Engineering. Portions of the Study currently in progress include Geotech, Traffic Impact Analysis, Cost Estimates, Existing Utility Report, and Environmental Report.

Mr. Wheat presented three scenarios for development of the property. Maps reflecting the following were provided:

Scenario 1- The smallest reclamation provides 28 acres for development. There would be no IH35 frontage impacted, and no wetlands impacted. Self-contained Valley Storage with no-offsite storage required.

Scenario 2- A large scale reclamation provides 54 acres for development. There is IH35 frontage and one-half acre of wetlands impacted. No on-site Valley Storage; 130 acre-ft would be required off-site.

Scenario 3- The largest reclamation provides 100 acres for development. This would be the most expensive scenario as 25.5 acres of wetlands would be impacted, and the largest number of dump trucks would be required. IH35 frontage is impacted. There would be no on-site Valley Storage; 448 acre-ft would be required off-site. Scenario 3 is the most challenging and would take the longest amount of time to obtain approvals with the environmental process.

Valley Storage was described as an equal swap of land with another location along the Trinity River for water runoff.

Ravi Shah advised that staff is requesting some direction on how to proceed. He presented some Land Disposition Strategies, as well as pros and cons for each, as follows:

- Option 1- Sell the property as-is
- Option 2- Select a master developer partner
- Option 3- Seek a development consultant
- Option 4- Manage the development in-house

Mr. Shah advised that the TOD Committee is recommending Option 2. A timeline for Option 2 was provided.

The general consensus of Council was to proceed with Option 2.

8. Discuss February Through June 2025 Council Meeting Dates.

City Secretary Chloe Sawatzky stated that the January 2025 meeting dates were previously set for the 7th and 25th. She reviewed the following subsequent dates:

- February 4th and 18th
- March 4th and 25th
- April 1st and 15th
- May 5th and 20th
- June 3rd and 17th

Mayor Babick reminded everyone of the Holiday Dinner planned on December 20th.

Ms. Sawatzky inquired whether Council would consider cancelling the second December meeting scheduled on December 17th. She advised that is the normal practice for December. Council consensus was to hold only one meeting in December on the 3rd.

9. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Worksession concluded at 8:35 p.m.

Meeting Adjourned.

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

Mayor Babick called the Regular meeting to order at 7:09 p.m.

INVOCATION – Mayor Pro Tem Richard Fleming

PLEDGE OF ALLEGIANCE – Councilmember Andrew Palacios

PRESENTATIONS

10. Recognize Community Groups for Exemplifying Council’s Vision.

Mayor Babick introduced the following community groups, stating how each provides a benefit and service to the City. He presented Certificates of Appreciation to representatives of the following community groups:

New Horizons Band
Make It Count
Jubilee Of Cultures

Citizens On Patrol Service Awards were presented by the Police Department.

PUBLIC COMMENT

11. 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 Item 17 is being pulled from the Consent Agenda.

Councilmember Cline moved to approve Consent Agenda Items 12-16, 18-20, 22-33 (28, 30 as stipulated); second by Councilmember Palacios. The motion was approved with a unanimous 7-0 vote.

BIDS & PURCHASES

- *12. Consider Authorizing The City Manager To Reject All The Proposals Received For BID #25-006.**

CONTRACTS & AGREEMENTS

- *13. Consider Authorizing The City Manager To Enter Into An Agreement With Hamilton Medical For The Purchase Of Seven (7) Hamilton-T1 Transport Ventilators, Associated Equipment, And Clinical Training In An Amount To Not Exceed \$127,000.00**
- *14. Consider Authorizing The City Manager To Enter Into An Agreement With Microsoft Corporation, Through Texas DIR Purchasing Cooperative, For Microsoft Unified Support In An Annual Amount Not To Exceed \$100,000, For A Three-Year Total Amount Not To Exceed \$300,000.**
- *15. Consider Authorizing The City Manager To Enter Into An Agreement With SoftwareOne, Inc., Through TIPS Purchasing Cooperative, For The Renewal Of The City's Microsoft Enterprise Agreement In An Annual Amount Not To Exceed \$1,000,000, For A Three-Year Total Amount Not To Exceed \$3,000,000.**
- *16. Consider Authorizing The City Manager To Enter Into An Agreement With USA Shade, Through BuyBoard, For The Purchase And Installation Of Shade Structures In An Amount Not To Exceed \$145,288.00.**
- *17. Consider Authorizing The City Manager To Enter Into An Agreement With Turf And Soil Management, Through Sourcewell Purchasing Cooperative, To Purchase Two (2) Autonomous Mowers In An Amount Not To Exceed \$62,284.53.**

Item 17 was removed from the Consent Agenda and not considered.

- *18. Consider Authorizing The City Manager To Enter Into An Agreement With Greenscapes Six, LLC, Through BuyBoard, For Bunker Repair Of Indian Creek Golf Course In An Amount Not To Exceed \$1,246,674.00.**
- *19. Consider Authorizing The City Manager To Approve An Agreement With Pro-Pipe Inc., Pursuant to Bid #25-007 For The Sanitary Sewer Cleaning - Trunk Interceptors In An**

Amount Not To Exceed \$98,000.00 Annually, For A Total Three-Year Contract Amount Not To Exceed \$294,000.00.

- *20. Consider Authorizing The City Manager To Execute Contract Amendment 2 To RFP #22-008 For Boring & Trenching For Multiple Departments From Tejas Utilities, LLC In An Amount Not To Exceed \$70,953.40 For A New Contract Total Amount Of \$482,258.00. Inc.**
- *21. Consider Authorizing The City Manager To Enter Into An Agreement With Samsara, Inc. Through An Interlocal With Sourcewell Purchasing Cooperative For Vehicle Cameras In An Amount Not To Exceed \$70,000.**

Item 21 was removed from the Consent Agenda for separate consideration.

Councilmember Carpenter moved to approve Consent Agenda Item 21; second by Mayor Pro Tem Fleming. The motion was approved with a 7-0 vote.

- *22. Consider Authorizing The City Manager To Enter Into An Agreement With Immix Technology, Inc. Through The Department Of Information Resources (DIR) For Timekeeping And Public Safety Scheduling Software Licensing And Implementation Services In An Amount Not To Exceed \$249,681.40 For The First Year, For A Total Three-Year Amount Not To Exceed \$453,229.77.**

ORDINANCES

- *23. Consider An Ordinance Amending The Code Of Ordinances Chapter 73 “Traffic Schedules,” Schedule I(A)(13), To Establish A Speed Limit Of 20 Miles Per Hour For Plumdale Drive, Effective When A Flashing Signal Is In Operation, From 120’ South Of The South Curb Line Of Trinity Mills Road To 185’ North Of The North Curb Line Of Sedgeway Lane.**
- *24. Consider An Ordinance Amending Chapter 31, The Comprehensive Fee Schedule.**

As discussed in Worksession Item 6.

RESOLUTIONS

- *25. Consider A Resolution Accepting The Investment Officer’s Fourth Quarter And Annual Report And Investment Strategies For Fiscal Year Ending September 30, 2024.**
- *26. Consider A Resolution Adopting The Investment Policy As A Fulfillment Of The Public Funds Investment Act Chapters 2256.005 and 2256.025.**
- *27. Consider A Resolution Adopting The Debt Management Policy.**
- *28. Consider A Resolution Casting The City Of Carrollton’s Vote For A Member Of The Board Of Directors For The Collin Central Appraisal District.**

As discussed in the Worksession, Carrollton’s vote will go to Richard Grady.

- *29. Consider A Resolution Casting The City Of Carrollton's Votes For A Member Of The Board Of Directors For The Denton Central Appraisal District.**

As discussed in the Worksession, former Carrollton Councilmember Mike Hennefer will receive all of Carrollton's votes.

- *30. Consider A Resolution Casting The City Of Carrollton's Votes For A Member Of The Board Of Directors For The Dallas Central Appraisal District.**

As discussed in the Worksession, Carrollton's votes will go to Clyde Hairston.

- *31. Consider A Resolution Adopting The 2024-2025 Legislative Agenda For The 89th Texas State Legislative Session.**

- *32. Consider A Resolution Appointing A Member To Serve On The Traffic Advisory Committee.**

As discussed in the Worksession, Alternate Roger Giddan was appointed to fill the vacancy.

- *33. Consider A Resolution Calling For A Public Hearing To Be Set On January 7, 2025 To Consider Adoption Of Amendments To The Land Use Assumptions, Capital Improvements Plan (CIP), And Amendment Of Impact Fees For The Designated Service Area.**

PUBLIC FORUM

- 34. 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.

Mayor Babick opened the public forum.

Robert Carrera, 1003 Jeannette Dr.:

- 1) Advised there is not a street sign on the street behind McDonalds
- 2) Stated that 2105 Denton Drive has an improper fence across the front of the property and the front of the house is blocked by excessive trees and bushes.

There being no other speakers, Mayor Babick closed the public forum.

The Regular Meeting concluded at 7:42 p.m. Mayor Babick continued with Worksession Item 7.

ADJOURNMENT - Mayor Babick adjourned the meeting at 8:36 p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor



Agenda Memo
File Number: 6984

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *14.

CC MEETING: December 3, 2024

DATE: November 14, 2024

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Shannon Hicks, Assistant City Manager

Consider **Authorizing The City Manager To Execute Change Order No. 2 With Klutz Construction Company For Additional Work As Part Of The Coyote Ridge / Furneaux Creek Drainage Improvements Project, In An Amount Not To Exceed \$62,117.00, Increasing The Total Project Contract To An Amount Not To Exceed \$1,526,931.00.**

BACKGROUND:

The City of Carrollton has an existing contract with Klutz Construction LLC for the construction of the Coyote Ridge/Furneaux Creek Drainage Improvements project that was approved by council on May 21st, 2024. The Coyote Ridge/Furneaux Creek Drainage Improvements project consists of two projects that are unrelated in terms of scope and impact but were packaged together to create bidding efficiencies to obtain better pricing for the two project areas. The Furneaux Creek Drainage Improvement Project had the following scope: regrading the site, installing a sidewalk with an integral curb, installing a flume, and adding a concrete outfall channel/gabion mattress. The Coyote Ridge Drainage Improvement Project had the following scope: updating the Grandview Ridge neighborhoods drainage system by installing a new storm drain system, fixing the roadway pavement, and installing a steel flap gate on the existing box culvert pond outfall.

The Furneaux Creek Drainage Improvements required Change Order No. 1 for \$19,875.00 which was approved internally on October 7th, 2024. This increased the original contract amount of \$1,444,939.00 to \$1,464,814.00. Work on the Furneaux Creek portion of the project is complete.

Coyote Ridge Drainage Improvements Project has begun with the construction of the new storm drain system for the Grandview Ridge neighborhood. This change order is requested due to an existing water main in Fairway Dr. interfering with the proposed location of a new storm line that is under construction. Field conditions of the water line did not match the as-built files, and the water main

needs to be raised, and additional concrete roadway panels will need to be replaced.

The current proposed change order, **Change Order No. 2** aims to accomplish the following tasks:

- Replace additional concrete roadway panels.
- Raise the city water main above the proposed storm drain system.

FINANCIAL IMPLICATIONS:

Current estimate from the contractor has priced the proposed scope change at \$62,117.00. Staff is requesting an increase in the contract amount in the amount of the scope. Change Order No. 2 increases the current contract from \$1,464,814.00 to \$1,526,931.00, a 4.24% increase. Funding for the additional quantity is available in Account 854560, Drainage Consolidated funds.

IMPACT ON COMMUNITY SUSTAINABILITY:

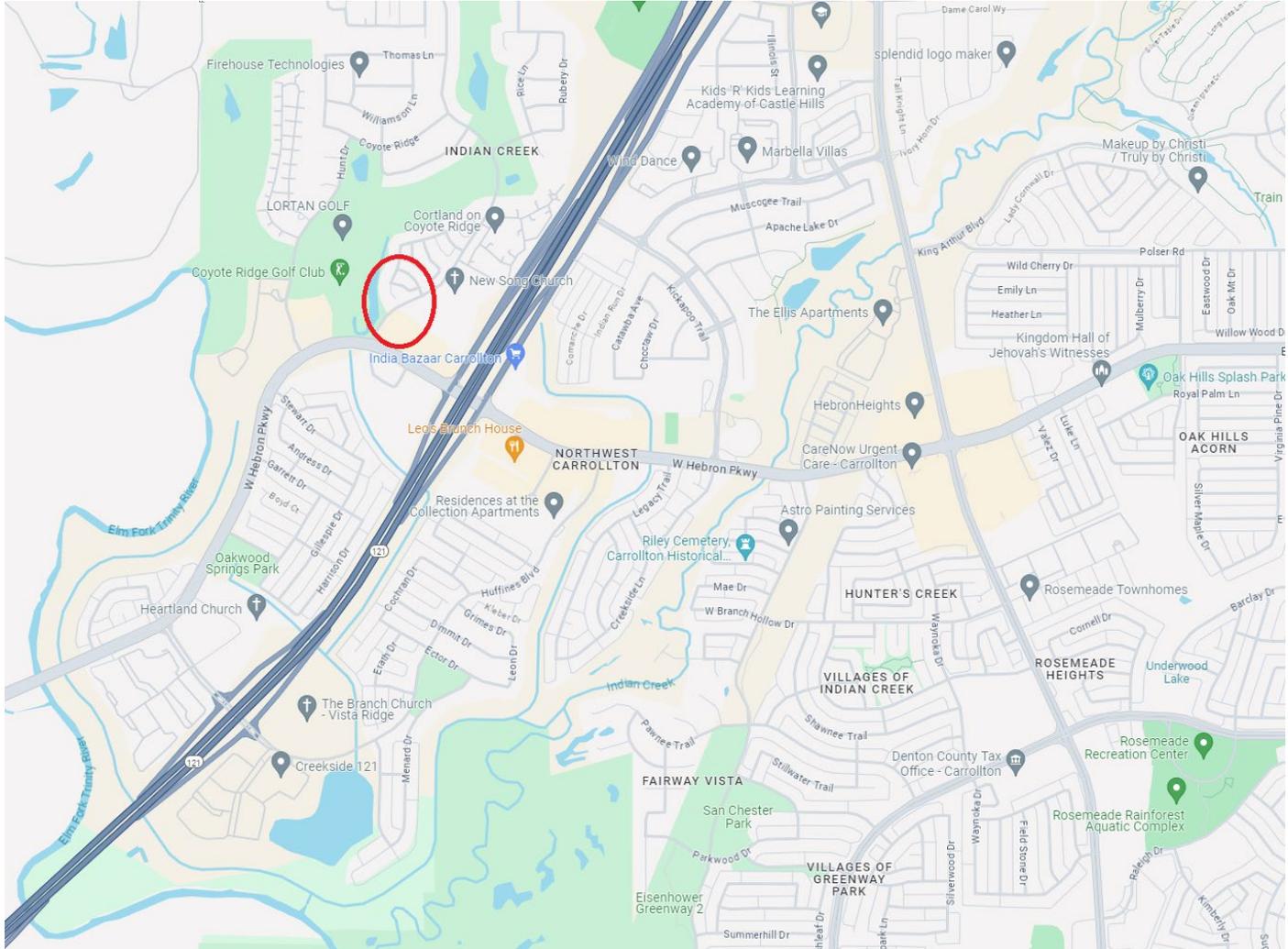
By having the contractor address the utility interference and additional concrete panels that need to be repaired, the engineering department is ensuring that water service will continue to serve the citizens of the Grand Ridge neighborhood and that the streets will continue to provide a smooth and safe mode of travel for our citizens. This work is being performed by our contractor, which frees up the public works department to perform other necessary infrastructure related tasks for citizens and businesses within the community.

STAFF RECOMMENDATION/ACTION DESIRED:

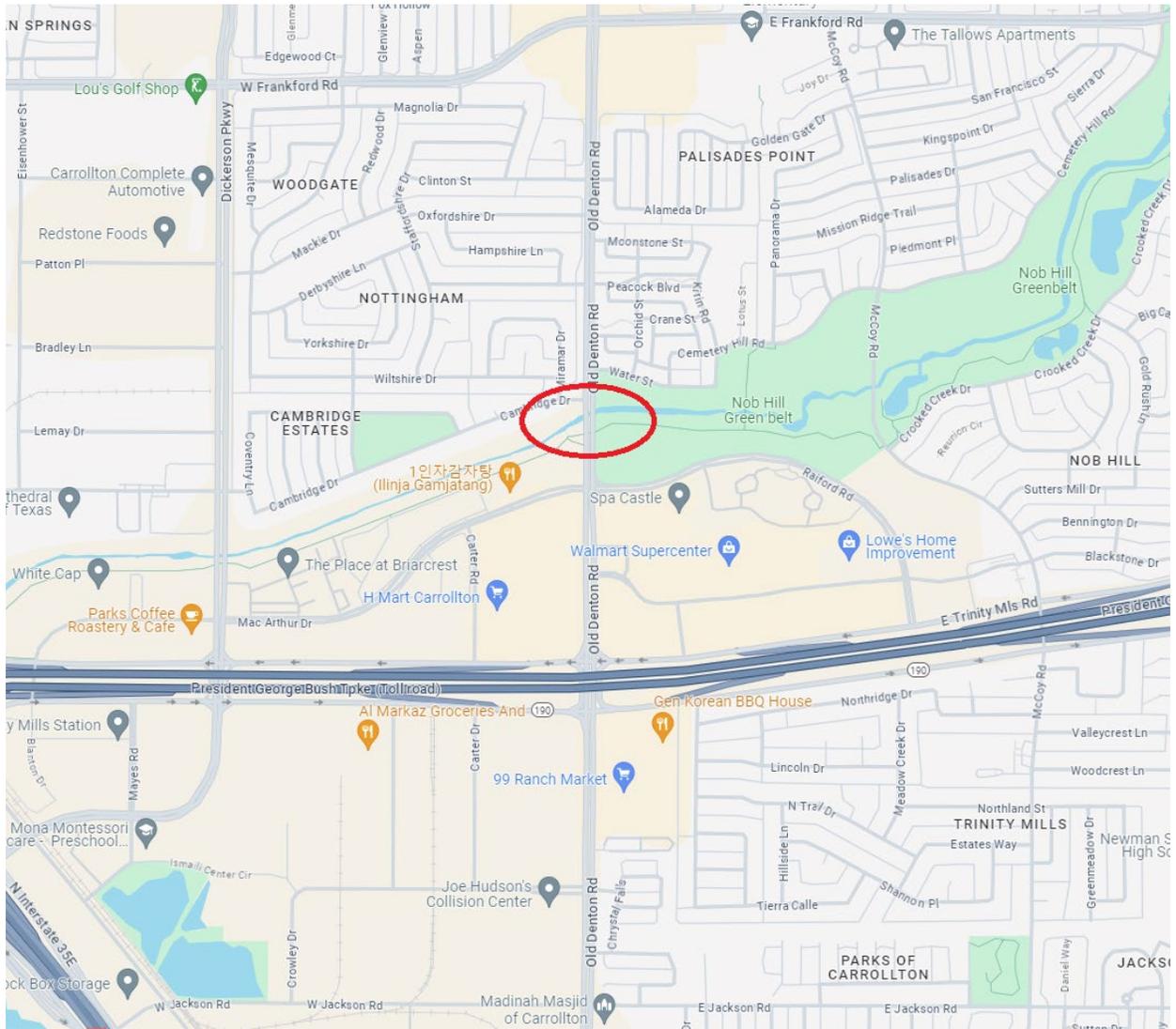
Staff recommend authorizing Change Order 2 for Coyote Ridge/Furneaux Creek Drainage Improvements project in an amount not to exceed \$62,117.00, increasing the total project contract to an amount not to exceed \$1,526,931.00.

Attachment A - Coyote Ridge/Furneaux Creek Locations

Coyote Ridge/Grandview Ridge Location



Furneaux Creek





Agenda Memo
File Number: 6987

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *15.

CC MEETING: December 3, 2024

DATE: November 18, 2024

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Shannon Hicks, Assistant City Manager

Consider **Authorizing The City Manager To Approve A Construction Contract With Apple Pavement Services For The City-Wide Sidewalk Improvements Phase 4 Project In An Amount Not To Exceed \$1,589,772.75.**

The original City-Wide Sidewalk Improvements project began in 2016 as a three-phase program. Phase 4 includes newly added locations and previous locations left incomplete due to cost considerations in Phase 3. The program was developed to identify and facilitate the prioritization of sidewalk improvements across the city. Sidewalks were identified for improvement if there were large cracks, severe cross slopes, dropped/raised panels, or other potential tripping hazards.

This contract for the City-Wide Sidewalk Improvements Phase 4 project will provide for the construction of sidewalk improvements and associated appurtenances at approximately 13 locations throughout the City of Carrollton. Improvements include the replacement or new construction of approximately 11,300 LF of concrete sidewalk, ramps, and trails. Locations are present along a variety of road types, from major city arterials to residential streets (See location map). The Engineering Estimate for this project was \$1,260,160.00 and the contract duration is 255 calendar days.

FINANCIAL IMPLICATIONS:

Nine (9) proposals were received on October 28, 2024. State Law requires evaluation of all selection criteria, which includes not only the contract price but the validity or reliability of the price along with the contractor’s qualifications, such as performance on past similar projects, experience of personnel assigned to the project, and the magnitude of municipal work previously completed.

Out of the eligible proposals submitted, the qualified low bidder was Apple Pavement Services, with a

bid of \$1,589,772.75. Three bidders were not considered due to failure to meet minimum bid requirements. Apple Pavement Services has a strong reputation performing a large variety of work with the City of Ferris over the last five years and appears to have an overall positive reputation supported by remaining reference statements. Based upon the price and qualifications, Apple Pavement Services is concluded to be the most qualified contractor for this project and offers the best overall value to the City. Funding is available in Streets Consolidated fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council’s strategic objectives and vision of building a community that families and businesses want to call home by:

- Improving quality and safety of city-wide pedestrian infrastructure
- Filling in gaps in the sidewalk along business corridors
- Reducing required sidewalk repairs and maintenance

STAFF RECOMMENDATION/ACTION DESIRED:

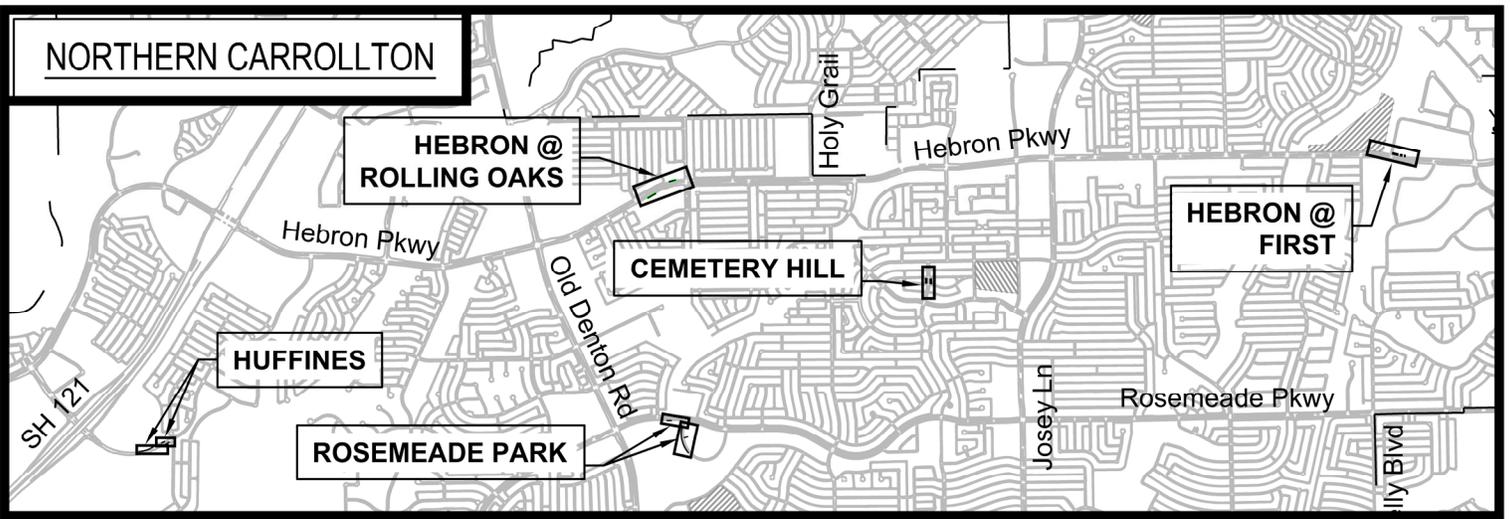
Staff recommends City Council authorize the City Manager to approve a construction contract with Apple Pavement Services LLC for the City-Wide Sidewalk Improvements Phase 4 project in an amount not to exceed \$1,589,772.75.

PROJECT:
CLOSE DATE:

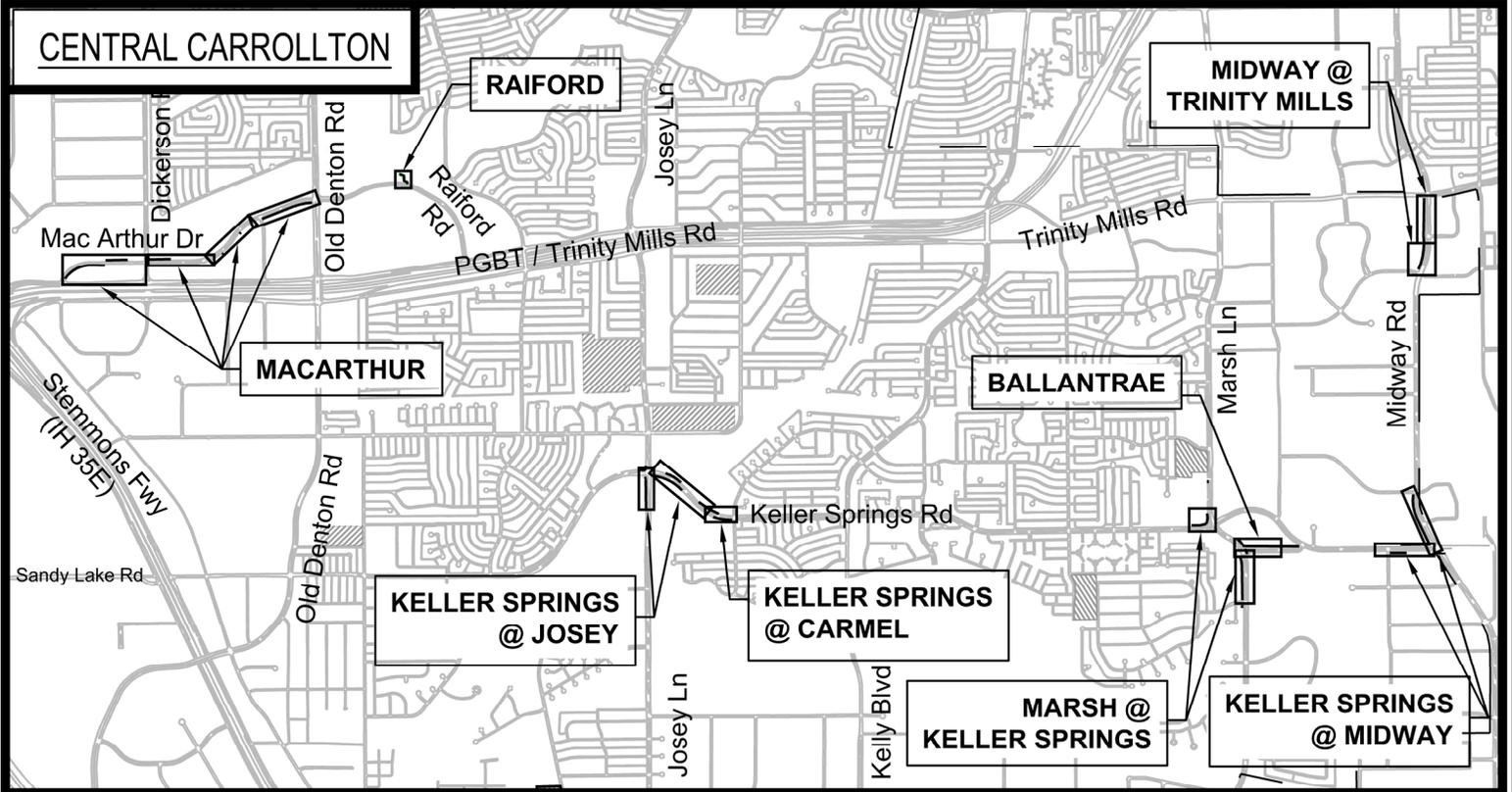
City-Wide Sidewalk Improvements - Phase 4
October 28, 2024

CONTRACTORS	BID AMOUNT
West Texas Rebar Placers, Inc.	\$1,152,176.85
V A Construction, Inc	\$1,324,904.00
Garret Shields Infrastructure	\$1,479,748.00
Apple Pavement Services	\$1,589,772.75
Talbert Companies, LLC	\$1,653,288.25
GRod Construction LLC	\$1,786,402.00
FNH CONSTRUCTION LLC	\$1,881,605.00
HQS Construction, LLC	\$1,952,200.00
Capko Concrete Structures, LLC	\$2,033,674.00

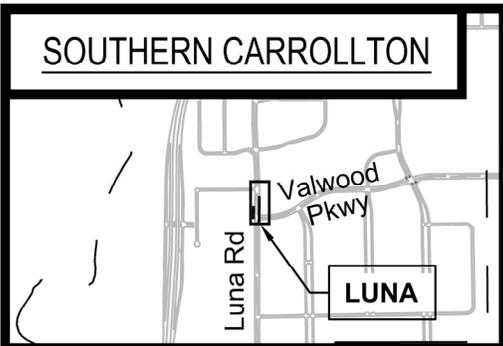
NORTHERN CARROLLTON



CENTRAL CARROLLTON



SOUTHERN CARROLLTON



Where Connections Happen

CITY-WIDE SIDEWALK IMPROVEMENTS PHASE 4 LOCATION MAP

SCALE: 1:3500
DATE: 11/5/24
**ENGINEERING
DEPARTMENT**





Agenda Memo
File Number: 6993

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *16.

CC MEETING: December 3, 2024

DATE: November 19, 2024

TO: Erin Rinehart, City Manager

FROM: Kim Bybee, Parks Manager
Chrystal Davis, Assistant City Manager

Consider **Authorizing The City Manager To Enter Into An Agreement With Turf And Soil Management, Through TIPS Purchasing Cooperative, To Purchase Two (2) Autonomous Mowers In An Amount Not To Exceed \$62,284.53.**

BACKGROUND:

Parks is requesting to purchase two (2) autonomous mowing units with charging stations and a reference station from Turf and Soil Management through our cooperative purchasing agreement with TIPS. These autonomous units will be used to maintain athletic fields and other park property. They will allow the Parks Department to be more efficient and allow staff additional time to focus on various tasks to improve field safety and quality.

The Parks Department incorporated autonomous mowers into their athletic field maintenance program just over a year ago and they have already had a direct impact on turf quality by increasing turf density and wear tolerance, leading to healthier, more resilient playing surfaces. With the added capacity, staff has been able to prioritize irrigation issues and other maintenance and field safety concerns, such as low spots on the fields.

FINANCIAL IMPLICATIONS:

The equipment will be purchased from budgeted funds from the Parks Consolidated Fund. The not to exceed amount includes a 10% contingency to cover any unexpected expenses or price increases.

ACCTG UNIT	ACCOUNT	BUDGET AMOUNT
854360	Electric Mowers	62,284.53

IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing equipment such as this ensures that City employees have the resources necessary to do their job, which is a Council strategic goal.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends Council authorize a contract with Turf and Soil Management for the purchase of two (2) autonomous mowers with charging stations and a reference station through a cooperative purchasing agreement with TIPS in an amount not to exceed \$62,284.53.



Agenda Memo
File Number: 6999

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *17.

CC MEETING: December 3, 2024

DATE: November 20, 2024

TO: Erin Rinehart, City Manager

FROM: Samantha Dean, Director of Workforce Services
Chrystal Davis, Assistant City Manager

Consider **Authorizing The City Manager To Enter Into An Agreement With Cigna Pursuant to RFP # 24-012 for Medical/Rx Stop Loss Insurance In An Amount Not To Exceed \$990,709.**

BACKGROUND:

The City issued RFP #24-012 for various employee medical and health benefits, including Medical/Rx Stop Loss Insurance on behalf of the City of Carrollton. Even though stop loss was included in the RFP, the award for these services was not able to be finalized until the required reporting through September was available for the Stop Loss vendors to provide firm and final offers.

The City’s Benefits Consultant, HUB International was presented with proposals from 9 vendors who could provide Medical/Rx Stop Loss Insurance, including the incumbent SA Benefits - Zurich. After reviewing the submissions, Cigna was chosen based on the criteria relative to cost, claims processing ability, integration into existing systems and references to be the provider for Medical/Rx Stop Loss insurance.

FINANCIAL IMPLICATIONS:

Cigna issued a quote for Medical/Rx Stop Loss Insurance that would cost the City \$990,709 annually and represents a 4.4% or \$42k increase over current rates. Cigna has also agreed to issue a \$50k premium credit for packaging Stop loss with other administrative services it provides the City.

Funds for these employee benefits will be paid out of the Employee Health Fund, which is funded by employer and employee contributions.

Participation in the agreements for Cigna guarantees rates for (1) one year with a 45% rate cap, no

new lasers at renewal and includes (2) two-year renewal options. The effective start date of this agreement is January 1, 2025.

IMPACT ON COMMUNITY SUSTAINABILITY:

Offering the aforementioned benefits aligns with the City Council's goals and objectives of attracting and retaining a diverse, motivated, and qualified team.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends authorizing the City Manager to enter into an agreement with Cigna pursuant to RFP #24-012 for Medical/Rx Stop Loss Insurance in an amount not to exceed \$990,709.



Agenda Memo
File Number: 7000

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *18.

CC MEETING: December 3, 2024

DATE: November 20, 2024

TO: Erin Rinehart, City Manager

FROM: Dwayne Bianco, Director of Fleet and Facilities
Shannon Hicks, Assistant City Manager

Consider **Authorizing The City Manager To Approve The Purchase Of One Chevrolet Tahoe And One Chevrolet Silverado 1500 EV From Lake Country Chevrolet Through An Interlocal Agreement With The TIPS Purchasing Cooperative In An Amount Not To Exceed \$157,493.70.**

BACKGROUND:

Fleet Services is recommending the purchase of one Chevrolet Tahoe that will be assigned to the Police Department and one Chevrolet Silverado 1500 EV assigned to Parks.

The Chevrolet Tahoe is the workhorse of the Police Department. This purchase will replace unit 2352, a commercial vehicle enforcement Tahoe that is being reassigned to patrol. This Tahoe will be replaced based on the Fleet replacement policy on age, maintenance, and mileage. The Tahoe will be purchased with a customized lighting package, camera and computer wiring, interior modifications and ballistic panels installed before delivery. Fleet Services and the Police Department have collaborated to streamline this process so the Tahoes can be purchased as a turnkey package. This will standardize the build and allow faster availability of the unit to be put into service when they are delivered to the City.

The Chevrolet Silverado 1500 EV will replace unit 4254 which will be retired based on the Fleet replacement policy on age, maintenance and mileage. The Silverado EV will become part of Parks new all electric mowing crew that was approved for this budget year by Council.

Staff recommends acquiring the vehicles with the bid from Lake Country Chevrolet through TIPS purchasing cooperative. The TIPS cooperative purchasing entity meets all state of Texas competitive bidding requirements. Texas law authorizes this process so that the City can save the time of

developing specifications and avoid the duplication of the competitive bidding process.

QUOTE

Lake Country Chevrolet (via TIPS)

Tahoe (1 unit):	\$ 82,693.70
Silverado 1500 EV (1 unit):	<u>\$ 74,800.00</u>
Total	\$157,493.70

FINANCIAL IMPLICATIONS:

The vehicles will be purchased with budgeted funds from the Fleet Replacement Fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as these ensures that City employees have the resources necessary to do their job, which is a City Council strategic goal.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to enter into an agreement for the purchase one Chevrolet Tahoe and one Chevrolet Silverado 1500 EV from Lake Country Chevrolet through an interlocal agreement with the TIPS purchasing cooperative in an amount not to exceed \$157,493.70.

Carrollton Fleet Replacement Schedule December FY 24-25

December 3, 2024	
Units Purchased	13
Purchases under 50k not needing council approval	3
Units Currently Being Presented to Council	3
Deferred Units	6
Approved ATB's*	9
Remaining Purchases Needed	49
Total	74

*Addition to Base units are included in Total of 74



Agenda Memo
File Number: 7001

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *19.

CC MEETING: December 3, 2024

DATE: November 20, 2024

TO: Erin Rinehart, City Manager

FROM: Dwayne Bianco, Director Fleet and Facilities
Shannon Hicks, Assistant City Manager

Consider **Authorizing The City Manager To Enter Into An Agreement For The Purchase Of One Ambulance Body From Southern Emergency & Rescue Vehicle Sales Through An Interlocal Agreement With HGAC Purchasing Cooperative In An Amount Not To Exceed \$344,810.00.**

BACKGROUND:

Fleet Services recommends the purchase of one ambulance body assigned to the Fire Department. The recommended purchase will be the replacement of unit 3098. The average life span of an ambulance is 5 years. The vehicle being replaced has been in service for over 7 years and Fleet is recommending its replacement due to maintenance and age.

The new ambulance box is available from Southern Emergency & Rescue Vehicle Sales. The ambulance body component will be installed on an F-550 chassis at Southern Emergency & Rescue Vehicles. The component will be purchased through the HGAC purchasing cooperative. This purchasing cooperative entity meets all state of Texas competitive bidding requirements.

QUOTES:

Southern Emergency (HGAC): \$344,810.00

FINANCIAL IMPLICATIONS:

This vehicle will be purchased using budgeted funds in the Fleet Replacement Fund

IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as this ensures that City employees have the resources necessary to do their job, which is a Council strategic goal.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to enter into an agreement for the purchase of one ambulance body from Southern Emergency & Rescue Vehicle Sales through an interlocal agreement with HGAC purchasing cooperative in an amount not to exceed \$344,810.

Carrollton Fleet Replacement Schedule December FY 24-25

December 3, 2024	
Units Purchased	13
Purchases under 50k not needing council approval	3
Units Currently Being Presented to Council	3
Deferred Units	6
Approved ATB's*	9
Remaining Purchases Needed	49
Total	74

*Addition to Base units are included in Total of 74



Agenda Memo
File Number: 7002

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *20.

CC MEETING: December 3, 2024

DATE: November 21, 2024

TO: Erin Rinehart, City Manager

FROM: Dwayne Bianco, Director of Fleet and Facilities
Shannon Hicks, Assistant City Manager

Consider Authorizing The City Manager To Enter Into An Agreement For The Purchase Of One Ford F-550 Ambulance Chassis From Sam Pack Ford Through An Interlocal Agreement With The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$70,013.14.

BACKGROUND:

Fleet Services recommends the purchase of one ambulance chassis assigned to the Fire Department. The recommended purchase will be the replacement of unit 3098. The average life span of an ambulance is 5 years. The vehicle being replaced has been in service for over 7 years and Fleet is recommending its replacement due to maintenance and age.

The new F-550 vehicle chassis is available from Sam Pack Five Star Ford. The ambulance body component will be installed on the F-550 chassis at Southern Emergency & Rescue Vehicles. The chassis will be purchased through the BuyBoard purchasing cooperative. This cooperative entity meets all state of Texas competitive bidding requirements.

QUOTES:

Five Star Ford (BuyBoard) \$70,013.14

FINANCIAL IMPLICATIONS:

This vehicle will be purchased using budgeted funds in the Vehicle Replacement Fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as this ensures that City employees have the resources necessary to do their job, which is a Council strategic goal.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to enter into an agreement for the purchase one ambulance F-550 chassis from Sam Pack Five Star Ford through interlocal agreement with the BuyBoard purchasing cooperative in an amount not to exceed \$70,013.14.

Carrollton Fleet Replacement Schedule December FY 24-25

December 3, 2024	
Units Purchased	13
Purchases under 50k not needing council approval	3
Units Currently Being Presented to Council	3
Deferred Units	6
Approved ATB's*	9
Remaining Purchases Needed	49
Total	74

*Addition to Base units are included in Total of 74



Agenda Memo
File Number: 6994

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinances

Agenda Number: *21.

CC MEETING: DECEMBER 3, 2025

DATE: November 12, 2024

TO: Erin Rinehart, City Manager

FROM: Michael Thomson, Fire Chief
Rex Redden, Executive Director of Public Safety

Consider An **Ordinance Designating The Number Of Positions In Each Classification Of Firefighters In The Carrollton Fire Department.**

BACKGROUND:

The purpose of this agenda item is to amend Ordinance No. 4211, which was passed by the City Council on June 25, 2024, designating the number of positions in each classification of firefighters in the Carrollton Fire Department. This amendment shall reflect changes in the number of authorized Firefighter positions from 76 to 71, authorized Apparatus Operator positions from 57 to 59, and authorized Battalion Chief positions from 6 to 9 within the Fire Department. The change in the numbers of the specific classifications does not change the total number of authorized positions within the Fire Department. This agenda item is an amendment to the current ordinance to ensure that we maintain the correct number of Firefighter, Apparatus Operator, and Battalion Chief positions assigned to the Operations Division. Two of the reclassifications are due to reassignments to fill vacancies created by promotions in our Fire Prevention Division. The additional three approved reclassifications are to fill the new Battalion Chief positions approved as an addition to base in the Fiscal Year 2025 budget.

FINANCIAL IMPLICATIONS:

Funding for two reclassified Apparatus Operator positions will be absorbed into the Fire Department’s existing budget. The three Battalion Chief positions were included in the Fire Department’s Fiscal Year 2025 operating budget.

IMPACT ON COMMUNITY SUSTAINABILITY:

The reclassification of the three Battalion Chief positions will positively impact the Operations Division by improving the shift leadership and management by addressing the span of control as well as improving the overall shift communications, officer development, and incident command presence on large emergency incidents.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of the attached ordinance amending Ordinance No. 4211 to decrease the number of authorized Firefighter positions to 71, increase the number of authorized Apparatus Operator positions to 59, and increase the number of authorized Battalion Chief positions to 9.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, DESIGNATING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION OF FIREFIGHTERS IN THE CARROLLTON FIRE DEPARTMENT; PROVIDING FOR SAVINGS, REPEAL, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Local Government Code Section 143.021 provides that a municipality’s governing body shall establish the classifications, and shall prescribe the number of positions in each classification of firefighters by ordinance;

WHEREAS, the City Council passed Ordinance No. 4211 on June 25, 2024, designating the number of positions in each classification of firefighters in the Carrollton Fire Department;

WHEREAS, due to anticipated changes in personnel in the Operations and Support Services Divisions of Carrollton Fire Rescue, the classification numbers need adjustment in order to maintain the necessary number of Firefighters and Apparatus Operators in the Operations Division; and

WHEREAS, the changes in the numbers of specific classifications will not change the total number of positions provided for in Ordinance No. 4211.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1.

The number of positions and classifications of firefighters within the Carrollton Fire Department shall be:

<u>CLASSIFICATION</u>	<u>NO. OF POSITIONS</u>
Firefighters	71
Apparatus Operators	59
Captains	32
Battalion Chiefs	9
Assistant Chiefs	2
	<hr/>
TOTAL	173

SECTION 2.

This Ordinance does not affect the right of the Fire Chief to appoint one person to the classification of Assistant Chief.

SECTION 3.

All provisions of the ordinances of the City of Carrollton, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Carrollton, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect. The repeal of any ordinance or part of an ordinance by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances in effect at the time of passage of this Ordinance.

SECTION 4.

If any section, sub-section, paragraph, clause, phrase, or provisions of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provisions hereof, other than the part so decided to be invalid or unconstitutional.

SECTION 5.

This Ordinance shall take effect immediately upon its adoption in accordance with and as provided by law and the City Charter.

DULY PASSED AND APPROVED this the 3rd day of December 2024.

CITY OF CARROLLTON, TEXAS

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

Approved as to form:

Meredith Ladd, City Attorney

Approved as to content:

Michael Thomson, Fire Chief



Agenda Memo File Number: 7005

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinances

Agenda Number: *22.

CC MEETING: Dec 6, 2024

DATE: November 19, 2024

TO: Erin Rinehart, City Manager

FROM: Diana Vaughn, Chief Financial Officer
Chrystal Davis, Assistant City Manager

Consider An **Ordinance Of The City Council Of The City Of Carrollton, Texas, Amending Title V Public Works, Chapter 52 Of Carrollton's Code Of Ordinances By Adopting Revisions to Section 52.054 Disconnection For Late Payment.**

BACKGROUND:

The suggested changes to Chapter 52 of the City of Carrollton's Code of Ordinances are for the purpose of clarifying the language, providing a provision for customers to request billing adjustments, allowing for a wider scope of bill adjustments to be made for those seeking financial relief from late fees and those following the City's leak adjustment process.

FINANCIAL IMPLICATIONS:

These changes will help optimize processes for both citizens and staff, and bolster City Council's goal to provide more economical services.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to amend the code of ordinances as stated above for the purpose of clarifying the language, allowing for a wider scope of bill adjustments to be made for those seeking financial relief from late fees and those following the City's leak adjustment process.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE CITY OF CARROLLTON CODE OF ORDINANCES BY REVISING SECTION 52.054 “DISCONNECTION FOR LATE PAYMENT” OF TITLE V PUBLIC WORKS, CHAPTER “WATER AND WASTEWATER SERVICES” TO PROVIDE FOR PROCEDURES RELATIVE TO LATE PAYMENTS; PROVIDING FOR SAVINGS, REPEALER, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF DECEMBER 3, 2024.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

Chapter 52, Water and Sewer Services, of Title V, Public Works, of the Carrollton Code of Ordinances is amended by revising Section 52.054, Disconnection For Late Payment, in its entirety to read as follows:

“Sec. 52.054. - Disconnection for late payment.

- (A) *Notice.* The city will discontinue utility service to customers for nonpayment of bills only after notice is given. The city's form for application for utility service and all notices shall contain clearly visible and easily readable provisions to the effect:
 - (1) That all bills are due and payable on or before the date set forth on the bill;
 - (2) That if any bill is not paid by or before that date, a text or email notification containing a cutoff notice that if the bill is not paid within ten days, service will be discontinued for nonpayment; and
 - (3) That any customer disputing the correctness of their bill shall have a right to request an adjustment.

- (B) *Requests For Adjustments.* The Utility Billing Department may require any request for a utility billing adjustment to be in writing. Written requests shall include the name of the account holder, service address, contact information, reason for the requested adjustment and any supporting documents. The customer shall provide all information requested by the city and deemed necessary to make a determination on the request. Only adjustments necessary to correct billing errors for bills issued within the past three (3) calendar months will be considered. A review of billing and an adjustment may be made beyond the three (3) calendar months only when the customer has met all requirements of the City's Water Leak Adjustment Policy outlined in the City's Water Conservation and Drought Contingency plan under Sec. 52.020.

- (C) *Response to Written Requests for Adjustment.* The Utility Billing Department will respond to the written request for adjustment within ten (10) business days after receiving from the customer all the information necessary to make a determination on the request.
- (D) In the absence of payment of the bill rendered or an approved request for a due date extension, service will be discontinued at the time specified.
- (E) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid and any required deposit has been made.
- (F) *Notice of Pending Disconnection for Nonpayment Fee (“Late Fee”)/Interruption Day Service Fee (“Disconnection Fee”) Waiver.* With the City Manager or designee’s approval, either the Late Fee or the Disconnection Fee may be waived under the following circumstances:
 - (1) The customer has submitted a written request for a waiver of the Late or Disconnection Fee within 30 days of the cutoff notice;
 - (2) The customer has not received a waiver for either a Late or Disconnection Fee within the preceding 12-month period; and
 - (3) A customer may not receive more than two waivers in a 5-year period.”

SECTION 2

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance shall be and are hereby repealed.

SECTION 3

Save and except as amended by this Ordinance, all other ordinances of the City of Carrollton, Texas shall remain in full force and effect.

SECTION 4

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Code of Ordinance, City of Carrollton, Texas.

SECTION 5

This Ordinance shall take effect from and after its signing.

PASSED AND APPROVED by the City Council of the City of Carrollton, Texas
this 3rd day December, 2024.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith Ladd,
City Attorney

Diana Vaughn,
Chief Financial Officer

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE CITY OF CARROLLTON CODE OF ORDINANCES BY REVISING SECTION 52.054 “DISCONNECTION FOR LATE PAYMENT” OF TITLE V PUBLIC WORKS, CHAPTER “WATER AND WASTEWATER SERVICES” TO PROVIDE FOR PROCEDURES RELATIVE TO LATE PAYMENTS; PROVIDING FOR SAVINGS, REPEALER, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF DECEMBER 3, 2024.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

Chapter 52, Water and Sewer Services, of Title V, Public Works, of the Carrollton Code of Ordinances is amended by revising Section 52.054, Disconnection for Late Payment, in its entirety to read as follows:

Sec. 52.054. - Disconnection for late payment.

- (A) *Notice.* ~~It is the policy of The city to~~ will discontinue utility service to customers for ~~by reason of nonpayment of bills only after notice is given and a meaningful opportunity to be heard on disputed bills.~~ The city's form for application for utility service and all notices shall contain, ~~in addition to the title, address, room number, and telephone number of the official in charge of billing,~~ clearly visible and easily readable provisions to the effect:
- (1) That all bills are due and payable on or before the date set forth on the bill; and
 - (2) That if any bill is not paid by or before that date, a text or email notification containing a cutoff notice that if the bill is not paid within ten days, service will be discontinued for nonpayment; ~~and~~
 - (3) That any customer disputing the correctness of ~~his~~ *their* bill shall have a right to a ~~hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.~~ *request an adjustment.*
- (B) ~~Requests for delays or waiver of payment will not be entertained;~~ *Requests For Adjustments.* The Utility Billing Department may require any request for a utility billing adjustment to be in writing. Written requests shall include the name of the account holder, service address, contact information, reason for the requested adjustment and any supporting documents. The customer shall provide all *information requested by the city and deemed necessary to make a determination on the request.* Only ~~questions of proper~~ *adjustments necessary* to correct billing

errors for bills issued within the past three (3) calendar months will be considered. ~~In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified.~~ A review of billing and an adjustment may be made beyond the three (3) calendar months only when the customer has met all requirements of the City's Water Leak Adjustment Policy outlined in the City's Water Conservation and Drought Contingency plan under Sec. 52.020.

- (C) *Response to Written Requests for Adjustment.* The Utility Billing Department will respond to the written request for adjustment within ten (10) business days after receiving from the customer all the information necessary to make a determination on the request.
- (D) In the absence of payment of the bill rendered or an approved request for a due date extension, service will be discontinued at the time specified.
- ~~(E)~~ (E) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid and any **required** deposit ~~required~~ has been made.
- (F) *Notice of Pending Disconnection for Nonpayment Fee ("Late Fee")/Interruption Day Service Fee ("Disconnection Fee") Waiver.* With the City Manager or designee's approval, either the Late Fee or the Disconnection Fee may be waived under the following circumstances:
 - (1) The customer has submitted a written request for a waiver of the Late or Disconnection Fee within 30 days of the cutoff notice; and
 - (2) The customer has not received a waiver for either a Late or Disconnection Fee within the preceding 12-month period.
 - (3) A customer may not receive more than two waivers in a 5-year period.

SECTION 2

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance shall be and are hereby repealed.

SECTION 3

Save and except as amended by this Ordinance, all other ordinances of the City of Carrollton, Texas shall remain in full force and effect.

SECTION 4

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Code of Ordinance, City of Carrollton, Texas.

SECTION 5

This Ordinance shall take effect from and after its signing.

PASSED AND APPROVED by the City Council of the City of Carrollton, Texas
this 3rd day December, 2024.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith Ladd,
City Attorney

APPROVED AS TO CONTENT:

Diana Vaughn,
Chief Financial Officer



Agenda Memo
File Number: 6985

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *23.

CC MEETING: December 3, 2024

DATE: November 14, 2024

TO: Erin Rinehart, City Manager

FROM: Ravi Shah, Executive Director of Development
Shannon Hicks, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Execute A Lease With Agate Arts, LLC. D/B/A The Art Table For The Use of City-Owned Property Located at 1003 West Main Street.**

BACKGROUND:

Located along West Main Street across from Babe’s Chicken, the City owns a building at 1003 West Main Street (“Property”) which at the time of purchase was dilapidated and was considerably blighted. The City took the appropriate actions to acquire the Property and rehabilitate half of the building to become a public restroom facility, which has since closed except for during special events. The building is currently vacant, and The Art Table (“Tenant”) has proposed opening an art studio to learn and enjoy art for all ages.

The terms of the proposed lease are:

- 1003 West Main Street: 2,550 sq ft studio
- Term: 3-year initial lease term
- Extensions One 3-year extension available
- Base Rental Rate: \$3,718.75/month (\$17.50 sq ft)
- Extension Rental Rate: \$4,091.62/month (\$19.25 sq ft)
- Monthly Property Expenses: Tenant to self-maintain the Premises, self-insure, and pay all correlating expenses, including but not limited to leasehold value taxes and utilities in the form of electricity, water, sewer and trash expenses.
- Tenant Improvements: City Contribution: City will provide improvements to the vacant suite including HVAC system, electrical, plumbing, concrete flooring, demolition, basic lighting, interior and exterior

painting, façade improvements and any exterior signage.

All non-branded improvements that are permanently attached to the property will remain with the property, even if the Tenant decides to vacate the property in the future. The Tenant would like to open the facility as soon as possible.

FINANCIAL IMPLICATIONS:

The lease rate for the Property is \$3,718.75/mo (\$17.50/sf annually). For the initial three (3) year term, the projected revenue total is \$133,875. The City will benefit from the Tenant paying for all correlating expenses, including but not limited to leasehold value taxes and utilities in the form of electricity, water, sewer and trash expenses. If the extension is exercised by the Tenant, the total projected revenue would be over \$281,137.50

IMPACT ON COMMUNITY SUSTAINABILITY

Having The Art Table locate at the Property would bring art education and entertainment experience concept to the Historic Downtown area. The Art Table would provide a robust educational offering to all ages with a first-class educational arts and entertainment facility and would certainly enhance the Property.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends authorizing the City Manager to enter into a lease with The Art Table for City-Owned Property located at 1003 West Main Street for an arts educational and entertainment facility.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH AGATE ARTS, LLC. D/B/A THE ART TABLE FOR THE USE OF CITY-OWNED PROPERTY LOCATED AT 1003 WEST MAIN STREET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas (“City”) owns the property located at 1003 West Main Street in the City of Carrollton, Texas (“Property”), and as further described in Exhibit “A,” attached hereto by reference for all purposes; and

WHEREAS, the City made significant investments in the Property to make one suite a suitable private office and restroom facility space; the other suite of the Property is currently vacant, and the City has actively marketed the Property; and

WHEREAS, City desires to enter into a lease with The Art Table (“Tenant”) for approximately 2,550 square feet of the Property (“Lease”) to operate as an art studio to learn and enjoy art; and

WHEREAS, the City and Tenant are agreeable to the following terms: a lease rate of \$17.50/sq ft, an initial three (3) year term with one three (3) year extension at a lease rate of \$19.25, with up to \$89,250 in Tenant Improvement (“TI”) allowance, \$3,718.75 in prepaid rent due at lease execution, Tenant to self-maintain the Premises, self-insure, and pay all correlating expenses, including but not limited to leasehold value taxes and utilities in the form of electricity, water, sewer, and trash expenses, City will provide improvements to the vacant suite including HVAC system, electrical, plumbing, concrete flooring, demolition, basic lighting, interior and exterior painting, façade improvements and any exterior signage, as further described in Exhibit “B”; and

WHEREAS, Tenant plans to make significant investments in the building, which will stay with the building in perpetuity; and

WHEREAS, Tenant shall provide a guaranty a maximum exposure of \$50,000.00 burning off on a straight-line, monthly basis of \$2,083.33 per month over a period of twenty-four (24) months (“Guaranty”); and

WHEREAS, Tenant must not be in default and be in good standing throughout the first twenty-four (24) months of the Lease for the Guaranty to burn-off or the City may utilize the Guaranty; and

WHEREAS, upon full review and consideration of the terms of the Lease, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager shall be authorized to execute the Lease with Tenant on behalf of the City of Carrollton;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

Section 2

The City Manager is hereby authorized to execute a Lease and all other documents in connection therewith on behalf of the City of Carrollton, substantially according to the terms and conditions set forth in this Resolution.

Section 3

This Resolution shall take effect upon passage.

PASSED AND APPROVED ON DECEMBER 3, 2024.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Ravi Shah
Executive Director of Development

Exhibit A

Location Map

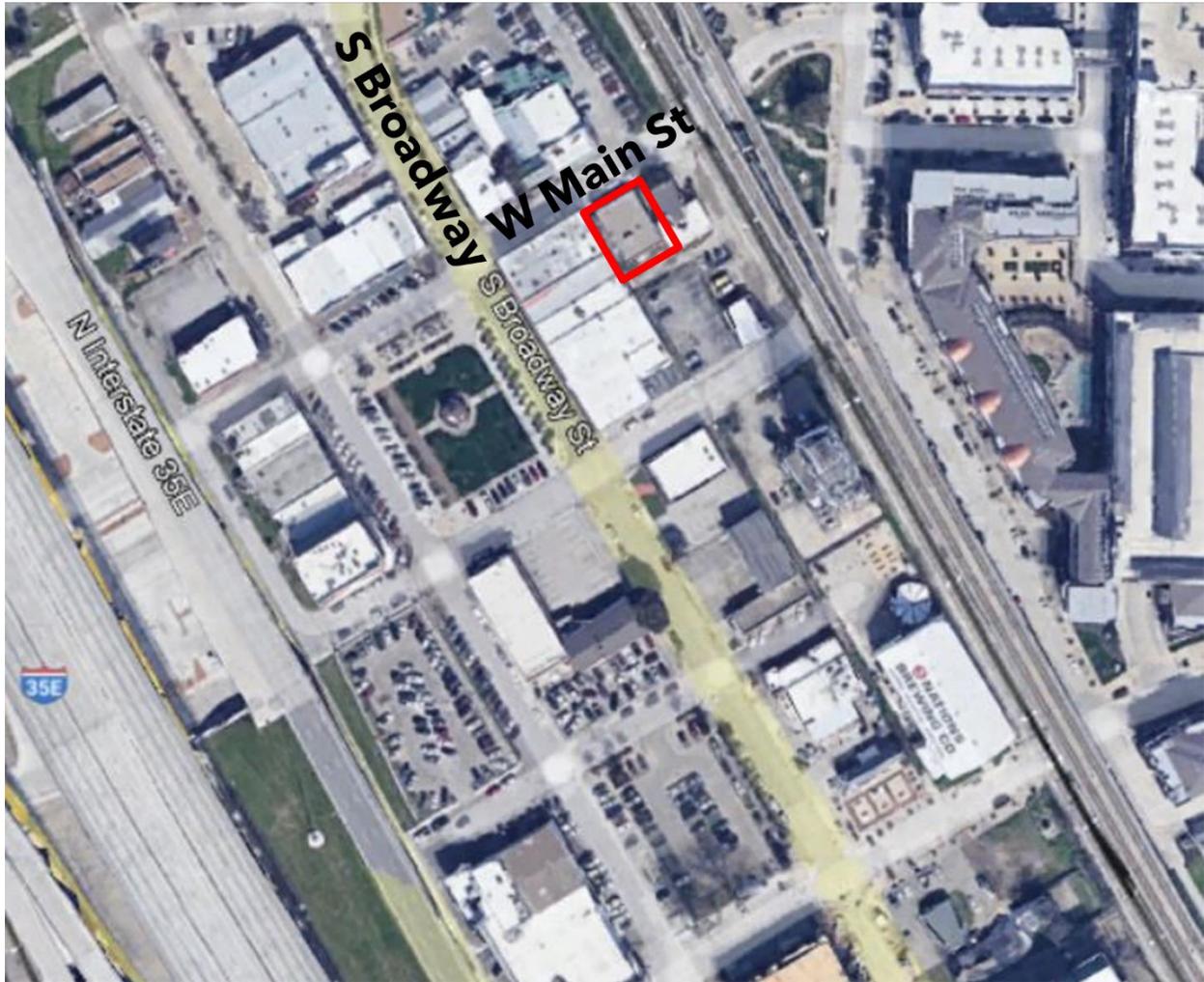


Exhibit B (1 of 2)

Floor Plan

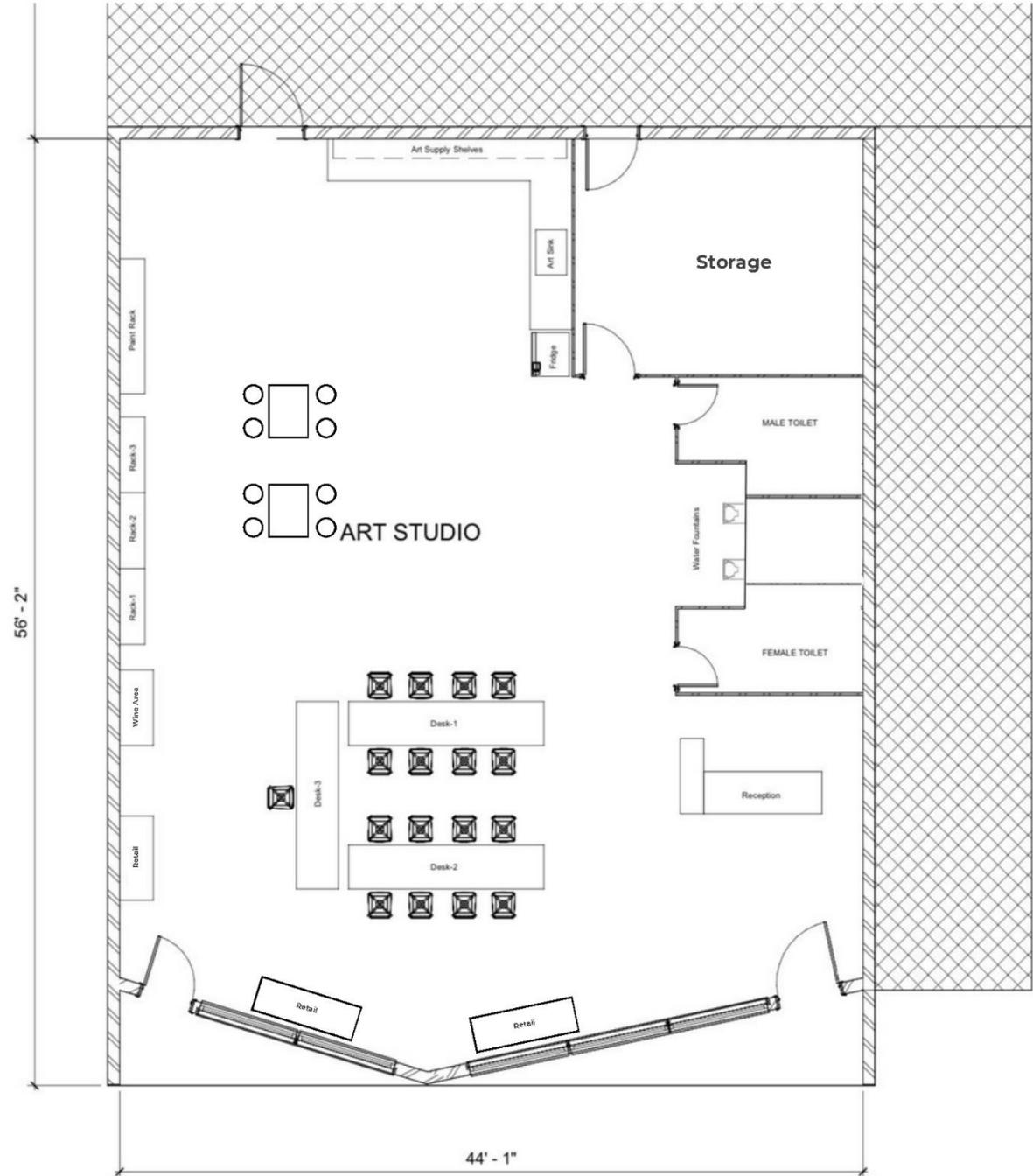


Exhibit B (2 of 2)

Suite Improvements





Agenda Memo
File Number: 6989

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *24.

CC MEETING: December 3, 2024

DATE: November 18, 2024

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Shannon Hicks, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute Contract Change Amendment No. 3 With HDR Engineering, Inc. For The Dudley Branch Channel Improvements Project In An Amount Not To Exceed \$45,000 For A Revised Contract Amount Not To Exceed \$593,949.00.**

BACKGROUND:

The City of Carrollton has an existing contract with HDR Engineering, Inc. for the evaluation and drainage improvements recommendations for Dudley Branch Channel Improvements. The existing design contract with HDR was approved by council on March 6th, 2018.

Contract amendments No. 1 and No. 2 provided for alternative analysis of flood alleviation strategies of the Lower Dudley Branch.

HDR Engineering Inc is currently under contract with the City of Carrollton to perform a flood study for Dudley Branch between Taos Pond and the DART railroad tracks which includes an evaluation of flood mitigation options focusing on Indian Creek Drive and inundation on Frankford Road. This proposed Change Amendment No. 3 would be to determine if the Dudley Branch culvert crossing at Eisenhower Street are sized sufficiently, as well as identify the impact of the Elm Fork backwater through this area. This site is a critical location along the Dudley Branch Channel as all upstream flows pass through the culverts, and the culverts are near several residential neighborhoods. Evaluating the performance of the Eisenhower culverts for the 5-, 10-, 25- and 100-year storm events will determine if any future drainage improvements are needed at that location.

FINANCIAL IMPLICATIONS:

This change amendment consists of an additional \$45,000.00 which increases the current contract

from \$548,949.00 to \$593,949.00, a total 52.3% increase from the original contract amount of \$390,000.000. Funding for the additional quantity is available in Account 854560, Drainage Consolidated funds.

IMPACT ON COMMUNITY SUSTAINABILITY:

Performing the necessary drainage study to determine the effects of hydraulic modifications to the Eisenhower Street Culvert will help determine the effects of various strategies that can be utilized to mitigate flooding and possible overtopping at the Eisenhower Street Culvert. By mitigating flooding, the city demonstrates that it places the lives and property of residents and businesses as the highest priority, and that the city is flexible and amenable to undertake the necessary measures to improve the quality of life for all residents in the City of Carrollton.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends authorizing Change Amendment No. 3 for the Dudley Branch Channel Improvements in an amount not to exceed \$45,000.00, for a revised contract amount not to exceed \$593,949.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT CHANGE AMENDMENT NO. 3 WITH HDR ENGINEERING, INC. FOR THE DUDLEY BRANCH CHANNEL IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$45,000 FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$593,949.00; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1:

The City Manager is authorized to negotiate and execute contract Change Amendment No. 03 with HDR Engineering, Inc. for additional design services for the Dudley Branch Channel Improvements project in an amount not to exceed \$45,000 for a revised contract amount not to exceed \$593,949.00.

SECTION 2:

The City Manager, or designee, is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

SECTION 3:

This Resolution shall take effect immediately from and after its passage.

PASSED and APPROVED on this 3rd day of December, 2024.

CITY OF CARROLLTON, TEXAS

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

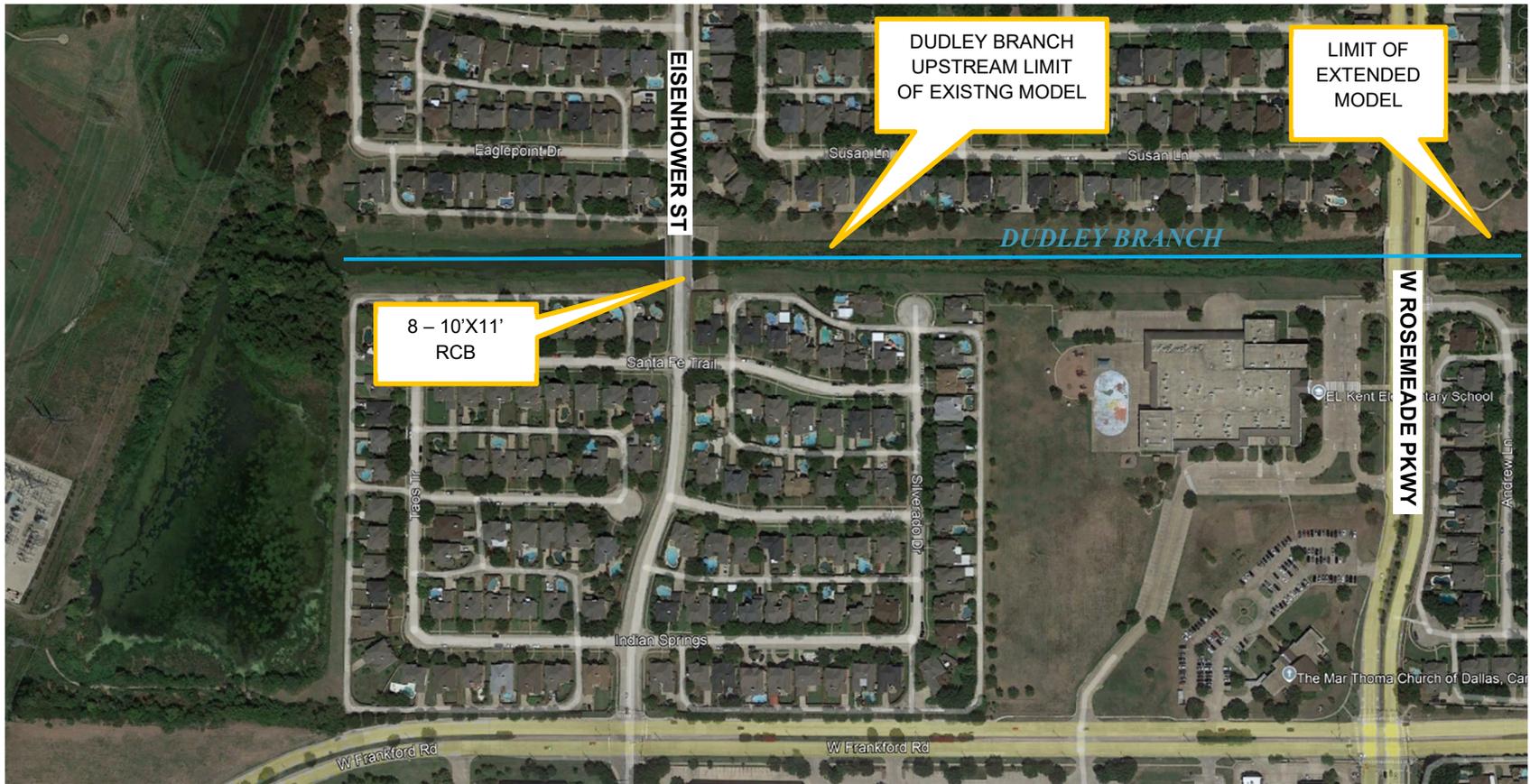
Approved as to form:

Approved as to content:

Meredith A. Ladd, City Attorney

Jonathan Wheat, Director of Engineering

EXHIBIT A





City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 7003

Agenda Date: 12/3/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *25.

CC MEETING: December 3, 2024

DATE: November 26, 2024

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider A **Resolution Ratifying A Member To Serve On The Civil Service Commission.**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARROLLTON, TEXAS, RATIFYING MEMBERS TO SERVE ON THE CIVIL SERVICE COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

The following are appointed to serve on the Civil Service Commission by the City Manager for the term specified or from the date of their qualification to serve until their successor is appointed and qualified to serve.

Irma Smith

Interim 2025

SECTION 2

This resolution shall take effect on the 4th day of December, 2024.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 3rd day of December, 2024.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

APPROVED AS TO FORM:

Chloe Sawatzky, City Secretary

Meredith A. Ladd, City Attorney



Agenda Memo
File Number: 6990

Agenda Date: 12/3/2024

Version: 1

Status: Public Hearing/Individual Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 26.

CC MEETING: December 3, 2024

DATE: November 13, 2024

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Shannon Hicks, Assistant City Manager

Hold A **Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow Short-Term Rental On An Approximately 0.164-Acre Lot Zoned (SF-7/14) Single-Family Residential District And Located At 1629 Palisades Drive; Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2024-150 Palisades Drive Short-Term Rental.

BACKGROUND:

This is a request for approval of a Special Use Permit (SUP) to allow a short-term rental (STR) on a single-family residential property located at 1629 Palisades Drive.

Public comments were received.

FINANCIAL IMPLICATIONS:

This is a request for approval of a Special Use Permit (SUP) to allow a short-term rental (STR) on a single-family residential property located at 1629 Palisades Drive.

Public comments were received.

FINANCIAL IMPLICATIONS:

There are no financial implications on the current and future operating budgets regarding this request.

STAFF RECOMMENDATION/ACTION DESIRED:

On November 7, 2024, the Planning and Zoning Commission recommended DENIAL of the request. The applicant has since submitted a written request to appeal the Commission’s decision. Since the Commission recommended denial of the request, a three-fourths (3/4) affirmative vote by all members

of the City Council is required to overrule the Commission's recommendation of denial.

Staff is recommending approval of the SUP request with stipulations and adoption of the proposed ordinance.

RESULTS SHEET

Date: 12/03/24

Case No./Name: PLSUP 2024-150 Palisades Drive STR

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the Special Use Permit for a short-term rental with the following stipulations:

1. Permitted use: Short-Term Rental.
2. The use shall comply with CZO Article XXI. Special Use Permits, subsection D.2.f.i. Short-Term Rental and Bed and Breakfast, which includes, but is not limited to, the following:
 - a. The use must be evidenced by association with a Booking Service, and the owner must provide proof of the collection and payment of State and local Hotel/Motel Occupancy Tax to the City upon request.
 - b. The parking must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances, relating to parking restrictions at a short-term rental. Parking is limited to off-street parking spaces.
 - c. The owner must secure a Lodging License before operating a short-term rental. The owner must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances and maintain the Lodging License to operate.
3. Per Title IX, Chapter 97, Sec 97.02 of the Carrollton Code of Ordinances, the property shall not be permanently occupied by the property owner.
4. Per Title IX, Chapter 96, Sec 96.06 of the Carrollton Code of Ordinances, the use is limited to allowing six (6) adults to stay at the short-term rental.
5. No more than four (4) guests can be unrelated.
6. A physical inspection of the property must be scheduled with Environmental Services.
7. The short-term rental is limited to four (4) bedrooms.
8. Individual rooms shall not be rented separately as a short-term rental.
9. No locks shall be on any bedroom doors.
10. In the event there is any inconsistency between the text of this ordinance and any conceptual plan, the text of this ordinance shall control.
11. The address numbers on the face of the home shall be changed to "1629".

B. P&Z ACTION from P&Z meeting: 11/07/24
Result: **DENIAL** /Vote: **8-0 (Kramer Absent)**

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 12/03/24
Result: /Vote:

SITE LOCATION AND ZONING MAP



APPLICANT'S NARRATIVE

Application Explanation and Description of Request or Project

To Whom It May Concern,

I am applying for a Special Use Permit (SUP) as part of the process to obtain a Short-Term Rental (STR) license for a home I recently purchased at 1629 Palisades Dr, Carrollton, TX 75007.

The decision to buy this property was driven by several factors. Both my husband and I have many family members and friends living outside the United States, and we frequently host them. Additionally, we have long been interested in purchasing an investment property in a quiet, desirable area. This led us to the decision to buy this home and convert it into a short-term rental. By doing so, we can accommodate our friends and family when they visit and generate additional income to help cover the property's expenses when it's not in use for personal hosting.

The property size is 1892sqft. It has 4 bedrooms and 3 bathrooms. Bedrooms sizes are as followed: Bedroom 1 has 264sqft, Bedroom 2 has 142sqft, Bedroom 3 has 120sqft, Bedroom 4 has 154sqft. There is 1 living room, 1 dining room, 1 kitchen, and 1 laundry room. The capacity we propose for the listing is 9 guests (6 adults and 3 non-adults). There are 2 car spaces in the garage and extra 2 spaces in the driveway.

To manage the property, I have hired Goldnest Property Management. Goldnest has been managing another property for my husband and his partners, and they have been doing an amazing job. They are attentive to the neighborhood and implement numerous measures to ensure responsible hosting. Among these practices are:

1. A thorough screening process for all potential tenants, including background checks.
2. Enforcing a strict no-party policy in all their homes.
3. Utilizing technology to prevent parties and large gatherings, such as cameras, noise sensors, and devices that count the number of cell phones to ensure no excessive number of people are in the house.
4. Focusing on corporate housing and insurance housing claims, providing housing solutions to families displaced from their homes due to damages.
5. When the house is not occupied with these types of stays, Goldnest only allows stays of over three nights to prevent one-night party-type stays.
6. Adhering to parking guidelines, ensuring no excessive cars arrive at the house and that no street parking takes place.
7. Maintaining the exterior appearance of the house to high standards, including weekly landscaping and pool maintenance (which is increased to twice a week during the summer).

Thank you for considering our application

SPECIAL USE PERMIT

Case Coordinator: Emily Offer

GENERAL PROJECT INFORMATION

SITE ZONING: PD 063 for the (SF-7/14) Single Family Residential District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	PD-063 for the (SF-7/14) Single-Family Residential District	Single-Family Residential
SOUTH	PD-063 for the (SF-7/14) Single-Family Residential District	Single-Family Residential
EAST	PD-063 for the (SF-7/14) Single-Family Residential District	Single-Family Residential
WEST	PD-063 for the (SF-7/14) Single-Family Residential District	Single-Family Residential

REQUEST: Approve a Special Use Permit (SUP) to allow short-term rental

PROPOSED USE: Short Term Rental

ACRES/LOTS: 0.164 acres / 1 lot

LOCATION: 1629 Palisades Drive

HISTORY: The approximately 1,892 square-foot house was built in 1985 and has alley access.

The property is in the Palisades Subdivision, platted in 1984.

CZO Article 21 Special Use Permits regulates Short-Term Rental.

COMPREHENSIVE PLAN: Residential - Single Family Detached

TRANSPORTATION PLAN: Palisades Drive is designated as an (R2U) Residential Street.

OWNER: Elad Daniel

REPRESENTED BY: Elad Daniel

STAFF ANALYSIS

REQUEST

This is a request for approval of a SUP to allow short-term rental.

ORDINANCE REQUIREMENTS

Article V. of Carrollton's Comprehensive Zoning Ordinance (CZO) requires a SUP for short-term rental in the (SF-10/18) Single-Family Residential District.

ELEMENTS TO CONSIDER

1. A short-term rental requires a SUP in the Single-Family Detached, Attached, and Duplex Residential Districts, Office and Retail Districts, Downtown Transit Center (DTC) subdistrict Urban Fringe, and is allowed by right in the DTC subdistricts Historic Square and Urban General.
2. The property is bounded by single-family residential zoned properties.
3. The approximately 1,892 square-foot house was constructed in 1985.
4. Per Chapter 96, Sec. 96.06 of the Carrollton Code of Ordinances, the maximum number of occupants is 6. This is based on the finished area of the dwelling unit and the number of bedrooms and their sizes.
5. The property has vehicle access solely from an alley.
6. Each SUP application is discretionary and must be evaluated as to its probable effect on the adjacent properties and the community welfare and may be approved or denied as the findings indicate appropriate.
7. A SUP should not have negative impacts that exceed the impacts associated and anticipated with a use permitted "as-of-right" in the zoning district.
8. The concern and input of neighbors affected by a proposed use is an integral component of the zoning process.
9. A short-term rental is likely to arise where tourists, seasonal population, or large gatherings, are interested in temporary rentals of single-family residences, without the owner being on the premises.
10. No code violations were noted by the Environmental Services or Police Departments for the subject property that would affect staff's recommendation on this request.
11. Public comments were received.
12. The garage is approximately 528 square feet or 24 feet by 22 feet in size. The carport is approximately 572 square feet or 26 feet by 22 feet in size.
13. The applicant has stated that the owner will not reside at the subject property and that no signage will be posted at the subject property.

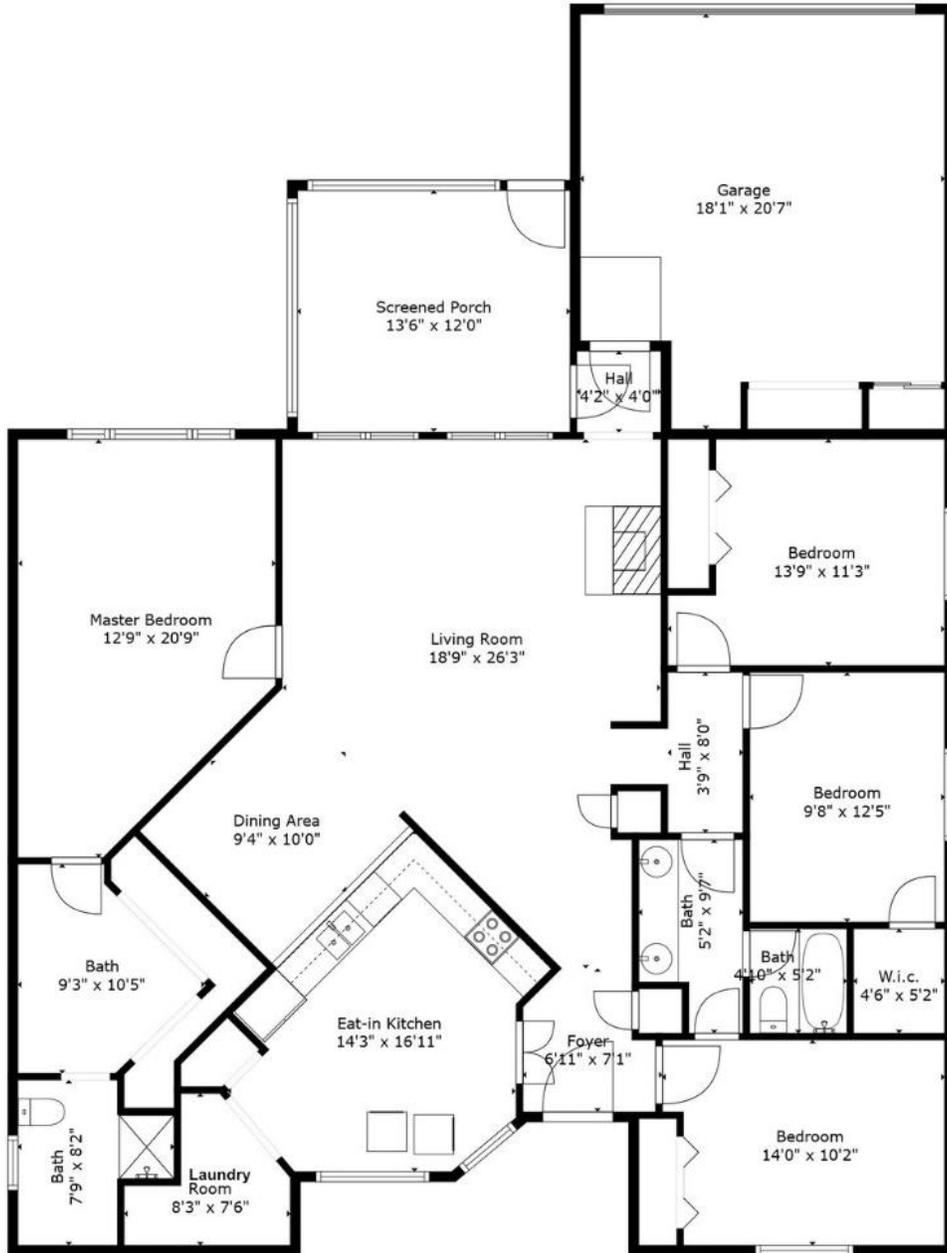
PURPOSE OF THE SPECIAL USE PERMIT

The purpose of the Special Use Permit is to authorize and regulate uses which may be beneficial in a specific instance to the general welfare of the community yet ensure that such uses are not detrimental to surrounding property and are consistent with the stated purpose of the zoning district in which such uses are located regarding conditions of operation, location, arrangement and construction.

CONCLUSION

Staff believes the request for a short-term rental is reasonable for consideration.

APPLICANT'S FLOOR PLAN



EXCLUDED AREAS: BATH: 132 sq. ft, MASTER BEDROOM: 229 sq. ft, SCREENED PORCH: 163 sq. ft, UNDEFINED: 44 sq. ft, ROOM: 42 sq. ft, GARAGE: 329 sq. ft

Floor Plan Created By Cubicasa App. Measurements Deemed Highly Reliable But Not Guaranteed.



DRAFT Minutes
City of Carrollton
Planning & Zoning Commission
November 7, 2024
Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, November 7, 2024 at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
Mark Yarbrough, 1st Vice Chair
Willadean, Martin, Vice Chair
Jim Doyle
John Powell
Al Overholt
Kathleen Foster
Dave Hermon

Commission Members Absent:

Greg Kramer

Alternate:

Rusty Pendleton

Staff Members Present:

Loren Shapiro, Planning Manager
Ed Green, Plan Review Manager
Emily Offer, Senior Planner
Lydia Tormos, Planning Technician

Jonathan Wheat, Director of Engineering
Darwin Ortega, Senior Code Enforcement Ofcr.
John Romberger, Transportation Engineer
Albert Thomas, Asst. City Attorney II
Brett King, Director of Development Svcs.
Jared Nations, Fire Chief (Prevention)

Guests Present:

Daisy Palomo, Council Observer

*(Note: * = designation of a motion)*

5. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Establish A Special Use Permit To Allow Short-Term Rental** On An Approximately 0.164-Acre Lot Zoned PD 063 For The (SF-7/14) Single-Family Residential District And Located At 1629 Palisades Drive; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-150 1629 Palisades Drive Short-Term Rental.** Case Coordinator: Emily Offer.

Senior Planner Emily Offer reviewed the location of the property proposed as a short-term rental. She advised the home has 1,344 square feet and 1,100 square feet of parking space, alley access is available and a floor plan was provided.. She advised that a change is requested on Stipulation Number 4, changing the term “individuals” to “adults”. Staff is recommending approval with stipulations.

DRAFT Planning and Zoning Commission Minutes
November 7, 2024

Chair Windrow asked if the applicant is present and would like to speak. The applicant, Elad Daniel, 4018 Hockaday Dr., Dallas, explained his request. He said he has experience with short-term rentals.

Chair Windrow opened the public hearing.

The following spoke in opposition as follows:

Jason Tarvin 1625 Palisades Dr.

Marianne Allen, 1631 Palisades Dr.

Jill Simpson, 1632 Palisades Dr.

Daniel McCollister, 1624 Palisades Dr.

Sean Simpson, 1632 Palisades Dr. (also presented a petition with 8 names)

Mark Simpson, 1313 E. Branch Hollow Dr.-

The following did not wish to speak but submitted cards in opposition:

Walter & Belinda Cummingham, 1627 Palisades Dr.

Spoke in favor:

Clara Damti with GoldNest Properties, Management Company, 14140 Midway Rd., Dallas- Spoke about their company and the STR process.

Mr. Daniel addressed the homeowners concerns.

Commissioner Doyle inquired about marketing plans. The applicant stated the management company will advertise on various platforms; however, he expects the home to be largely used for families needing temporary housing through insurance companies.

Commissioner Powell asked Darwin Ortega, Senior Code Enforcement Officer with Environmental Services, if there is a limit on the number of days short-term rentals may be rented. Mr. Ortega responded the rentals must be at least one day and no more than 30 days.

Chair Windrow opened the floor for discussion or a motion.

- * ***Commissioner Powell moved to close the public hearing and approve Case No. PLSUP 2024-150 1629 Palisades Drive Short-Term Rental with revised staff stipulations; second by Commissioner Foster. The motion failed with a vote of 0-8, all Commissioners voted in opposition (Kramer absent).***

Commissioner Windrow stated that since the motion on this item failed, the applicant may make a written appeal within 10 days of this meeting to the City Council for reconsideration at the December 3, 2024 meeting.

PUBLIC COMMENTS (1 OF 5)

David Bilodeau
1610 Mission Ridge Trail/75007

- The case number: PLSUP 2024-150

I oppose the zoning change

- This area is single family and a short term rental has the potential to disrupt the peace. The house in question was badly neglected and while it is good that it has undergone renovation, it's in an area of older residents and there surely is plenty of demand for a sale. I do not see how zoning it for short term rental brings any added value to this highly single family area.

Case number

- The case number: PLSUP 2024-150

My name is Janice G Thompson, 1612 Palisades Drive, Carrollton 75007. 972-242-4644. I have lived here 39 years. I am 100% against the Rezoning of 1629 Palisades Drive to be short term rental. Carrollton has been a great place, quiet neighborhood and safe. Opening up our street to short term rental, parties, etc... would move people out of our area and most likely require police to respond to complaints. Please consider the opinions of the residents. Our neighborhood needs your support.

Thank you,

Janice Thompson

PUBLIC COMMENTS (2 OF 5)

Hello,

I'm writing to let you know I do not support the re-zoning of 1626 Palisades Drive. Please keep as a regular residence.

Thanks,

Suzanne Seraine

2900 Palisades Drive

Carrollton, TX 75007

Name: Brent Harrison Hoff Trustee, Brent H. Hoff Trust
Address: 1635 Piedmont Pl.
City, St, ZIP: Carrollton, TX, 75007

For your opinion of opposition or support on the proposed change to be considered by the Planning & Zoning Commission or City Council, you must **completely** fill out this form, sign and date it and return it before end of business day prior to the public hearing.

I hereby register my: Support Opposition

To Case No./Name: PLSUP 2024-150 1629 Palisades Drive
short-term Rental

Comments: Opposed due to concerns about potential noise, traffic, parking, and illicit activity issues. Please keep this a residential (family) district

Signature: Brent Harrison Hoff Date: 10/27/2024

Received NOV 01 2024

PUBLIC COMMENTS (3 OF 5)

Name: Jessica L Tarvin
Address: 1625 Palisades Dr
City, ST, ZIP: Carrollton, TX 75007

For your opinion of opposition or support on the proposed change to be considered by the Planning & Zoning Commission or City Council, you must **completely** fill out this form, sign and date it and return it before end of business day one day prior to the public hearing.

Received
NOV 05 2024
Planning
City of Carrollton

I hereby register my: Support Opposition

To Case No./Name: PLSUP 2024-150

Comments: This house with a pool will become a party pad. The constant turnover will disrupt our peaceful neighborhood and greatly effect our sense of security. PLEASE dont let rezoning go thru.

Signature: Jessica L Tarvin Date: 10-29-24

Name: Deborah Harding
Address: 1639 Kingspoint
City, ST, ZIP: Carrollton, Tx. 75007

For your opinion of opposition or support on the proposed change to be considered by the Planning & Zoning Commission or City Council, you must **completely** fill out this form, sign and date it and return it before end of business day one day prior to the public hearing.

Received
NOV 05 2024
Planning
City of Carrollton

I hereby register my: Support Opposition

To Case No./Name: PLSUP 2024-150-1639 Palisades

Comments: dont want short term rentals in my neighborhood

Signature: Deborah Harding Date: 10/28/2024

PUBLIC COMMENTS (4 OF 5)

I am contacting you to express my opposition to the above referenced application for a Special Use Permit. Our neighborhood is a very "settled" area. The housing turnover is virtually nonexistent with many residents on our street original (1985) owners. Weve raised our kids and now our grandkids on safe and quiet streets. Now, an owner/landlord wants to convert a piece of our neighborhood into a short term, transient rental.

I oppose this permit for several reasons:

- An obviously absentee owner has no obligation to keep the property up to minimum standards.
- If overseen by a "management company" there is no guarantee that any client controls or maintenance standards will be enforced. They will not monitor the property leaving residents to suffer the neglect.
- This property is in close proximity to a large CFBISD high school, Creekview. Will there be any controls in the about short term renters or monitoring of what the property will be used for? It is our fear that either kids could pool their money or a parent trying to be cool could rent this property for a "party house". It might not be the original persons in attendance, but rather those who have heard of a good time to be had. We all know how words spreads among teens of a party. The noise, parking, trash, and, God forbid, violence would be immeasurable.
- The rental client has no obligation to the neighborhood. Everyone in the area keeps property in excellent shape. Short term renters have no incentive to pick up their trash, be respectful of noise, park considerately, or consider the neighbors.
- This will lower property values much more than a conventional rental house. In that case, neighbors have the recourse of addressing directly with a landlord or through the City. With transient occupancy, resolution would have to go through property management and the registered property owner before it could approach remediation.
- Probably a remote possibility, but always foremost in our minds, is a registered (or even unregistered) sex offender take up temporary lodging. What vetting process is in place. At present, neighbors are notified of such a person living there. Who will know, much less notify the authorities of this person. I know this is a stretch, but as parents, we must be constantly aware.
- What limit in occupancy will be enforced? Let's say three people are registered on the agreement. What's to stop it from becoming a "flop house" with four people in every room? With all the construction, road and commercial, it could bring with it a dozen or more to stay.

It is my hope that you give serious consideration in denying PLSUP-2024-150 both on a P & Z level and City Council decision. I ask you as a 28 year resident, taxpayer, and neighbor. Thank you in advance for your time and attention

Polly Peebles

1611 Mission Ridge Trail

Carrollton, TX 75007.

PUBLIC COMMENTS (5 OF 5)

To: Planning & Zoning Commission
Case No. PLSUP 2024-150
1629 Palisades Dr –Short Term Rental Special Use Permit Request

First, apologies for not presenting this information in person, but we will be out of town at the time of the public hearing.

I am strongly opposed to the use of 1629 Palisades Dr as a Short Term Rental (STR).

We own the home at 1638 Kingspoint which is one house down across the back alley from 1629 Palisades.

We are experienced owners of STR's. For 20+ yrs we owned two STR homes in Kissimmee, Florida in a neighborhood which was specifically zoned for STR's. These homes were classified as "hotels", and had to be fully licensed with many ensuing regulations and restrictions on occupancy, parking etc etc.

We were very "hands on" with these properties, obtaining all our own bookings and personally screening all potential occupants ourselves. We saw a lot of other owners that did not screen their potential occupants, just allowing all-comers to stay. The result was that in spite of the many regulations which were in place, there were a lot of problems associated with these other rentals, especially with regard to noise levels, parking and exceeding the licensed occupancy level - which was quite common. Problems that were reported to respective management companies were mostly shrugged off with platitudes because they knew that enforcement of the regulations was almost impossible and essentially non-existent. Law enforcement was called when needed.

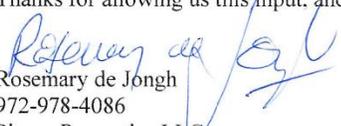
We finally gave up using our homes for our own extended vacations because of the disruptions from these neighbors.

Due to their proven disruptive nature, we know that STR's are not good neighbors and do not belong in residential neighborhoods, but in specifically zoned areas.

Apart from the local disruption, allowing an STR on Palisades Drive would definitely drive down property values in the street and surrounding neighborhood.

Would you want to live next door to an STR? We tried, and would never want to do it again!

Thanks for allowing us this input, and please feel free to contact me if necessary.


Rosemary de Jongh
972-978-4086
Pinner Properties LLC

11/6/24

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 12/03/2024

SPECIAL USE PERMIT NO. 508
DEVELOPMENT NAME: 1629 PALISADES
DRIVE SHORT-TERM RENTAL

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 508 PROVIDING FOR SHORT-TERM RENTAL ON AN APPROXIMATELY 0.164-ACRE LOT ZONED PD 063 FOR THE (SF-7/14) SINGLE-FAMILY RESIDENTIAL DISTRICT AND LOCATED AT 1629 PALISADES DRIVE; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Seventh day of November 2024, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. PLSUP 2024-150); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on the Third day of December 2024, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendment to the zoning laws to allow the requested use is not detrimental to the surrounding property, and is consistent with the purpose of the zoning district in which the above-described property is located; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Special Use Permit Number 508 is hereby established for a certain approximately 0.164-acre lot, located at 1629 Palisades Drive, and being more generally depicted on Exhibit A, providing for the following:

I. Permitted Use

Short-Term Rental

II. Special Development Standards

Development shall be in accordance with the following special conditions, restrictions, and regulations:

12. The use shall comply with CZO Article XXI. Special Use Permits, subsection D.2.f.i. Short-Term Rental and Bed and Breakfast, which includes, but is not limited to, the following:
 - a. The use must be evidenced by association with a Booking Service, and the owner must provide proof of the collection and payment of State and local Hotel/Motel Occupancy Tax to the City upon request.
 - b. The parking must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances, relating to parking restrictions at a short-term rental. Parking is limited to off-street parking spaces.
 - c. The owner must secure a Lodging License before operating a short-term rental. The owner must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances and maintain the Lodging License to operate.
13. Per Title IX, Chapter 97, Sec 97.02 of the Carrollton Code of Ordinances, the property is not permanently occupied by the property owner.
14. Per Title IX, Chapter 96, Sec 96.06 of the Carrollton Code of Ordinances, the use is limited to allowing six (6) adults to stay at the short-term rental.
15. No more than four (4) guests can be unrelated.
16. A physical inspection of the property must be scheduled with Environmental Services.
17. The short-term rental is limited to four (4) bedrooms.
18. Individual rooms shall not be rented separately as a short-term rental.
19. No locks shall be on any bedroom doors.
20. In the event there is any inconsistency between the text of this ordinance and any conceptual plan, the text of this ordinance shall control.
21. The address numbers on the face of the home shall be changed to "1629".

Section 3.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

Section 4.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 5.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 6.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 7.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 8.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Third day of December 2024.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

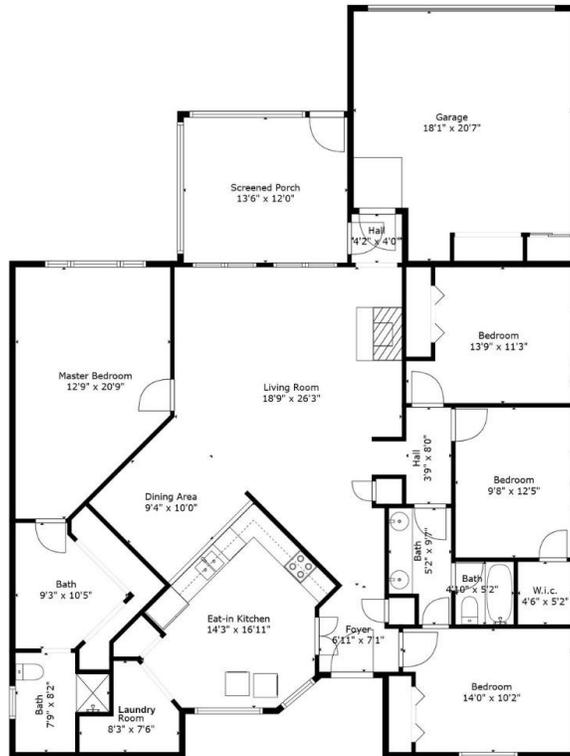
Albert Thomas
Assistant City Attorney II

Emily Offer
Senior Planner

EXHIBIT A GENERAL DEPICTION



EXHIBIT B FLOORPLAN



EXCLUDED AREAS: BATH: 132 sq. ft, MASTER BEDROOM: 229 sq. ft, SCREENED PORCH: 163 sq. ft, UNDEFINED: 44 sq. ft, ROOM: 42 sq. ft, GARAGE: 329 sq. ft

Floor Plan Created By Cubicasa App. Measurements Deemed Highly Reliable But Not Guaranteed.



Agenda Memo
File Number: 6991

Agenda Date: 12/3/2024

Version: 1

Status: Public Hearing/Individual Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 27.

CC MEETING: December 3, 2024

DATE: November 13, 2024

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Shannon Hicks, Assistant City Manager

Hold A **Public Hearing To Consider An Ordinance Amending The Zoning To Repeal Three Special Use Permits Numbered 371 (2227 High Point Drive) For An Accessory Building In Excess of 600 Square Feet And 390 (1035 North IH-35E) For Automotive Mechanical And Electrical Repair And Maintenance And 099 (1035 North IH-35E) Mini-Warehouse With A Caretaker’s Apartment; Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2023-156 Repeal Of Three SUPs.

BACKGROUND:

This is a city-initiated request to reassess the continued appropriateness of 3 Special Use Permits (SUPs) numbered 371 (2227 High Point Drive) for an accessory building in excess of 600 square feet, 390 (1035 N IH-35E) for automotive mechanical and electrical repair and maintenance, and 099 (1035 N IH-35E) mini-warehouse with a caretaker’s apartment.

SUPs 099 and 371 are not being used or likely to be used for their intended purpose. SUP 371 is no longer required as Carrollton’s zoning ordinance no longer requires a SUP for accessory structures in excess of 600 square feet.

FINANCIAL IMPLICATIONS:

There are no financial implications on the current and future operating budgets regarding this request.

STAFF RECOMMENDATION/ACTION DESIRED:

On November 7, 2024, the Planning and Zoning Commission recommended APPROVAL of the request with revised stipulations.

The attached ordinance reflects the action of the Commission.

Staff recommends approval and adoption of the ordinance.

RESULTS SHEET

Date: 12/03/24

Case No./Name: PLSUP 2024-156 Repeal Of Three SUPs

A. STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** to repeal the 3 SUPs.

B. P&Z ACTION from P&Z meeting: 11/07/24

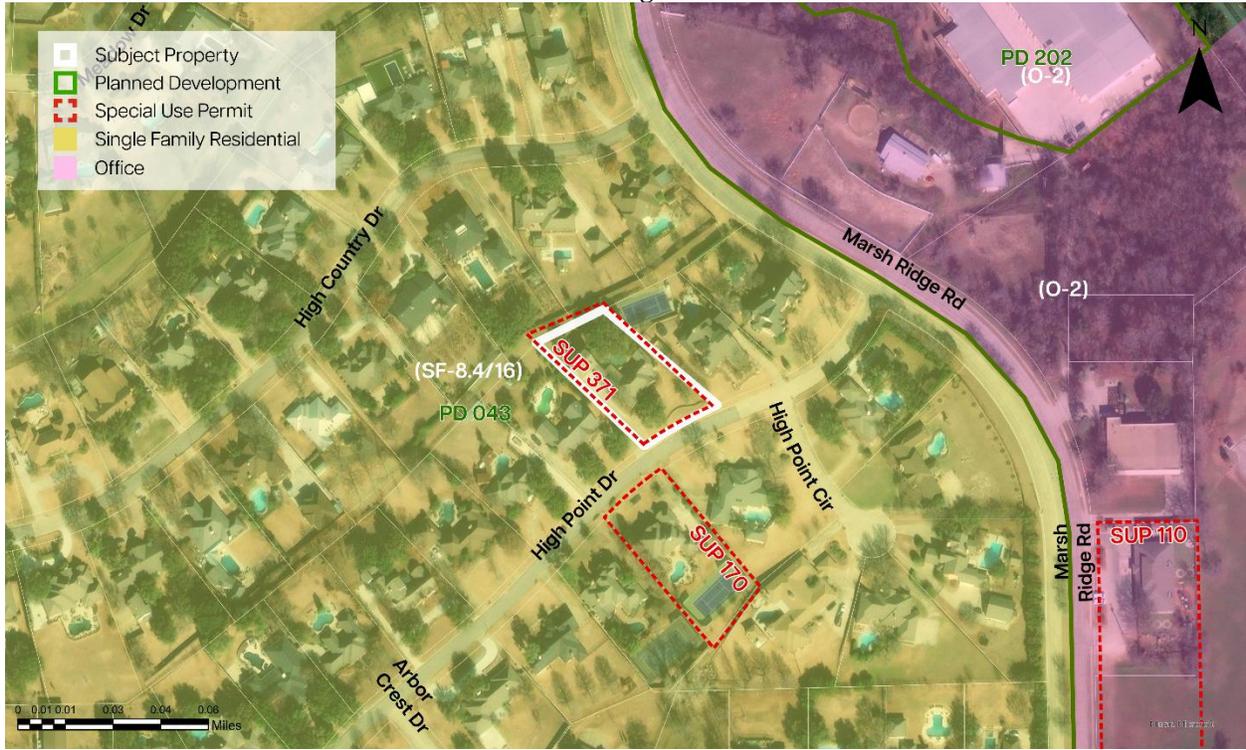
Result: **APPROVAL with Stipulations** /Vote: **8-0 (Kramer Absent)**

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 12/03/24

Result: /Vote:

SPECIAL USE PERMIT LOCATOR MAPS

SUP-371 2227 High Point Drive



SUP 390 and SUP 099 1035 N IH-35E



SPECIAL USE PERMIT

Case Coordinator: Emily Offer

GENERAL PROJECT INFORMATION

REQUEST: Rezone to repeal 3 SUPs

SUP-371

- Approved on 01/06/2009 to allow an “Accessory Building In Excess Of 600 Square Feet” (Ord. 3277) for a 3-car garage.
- Location is 2227 High Point Drive.
- Approximately 0.80 acres.
- The property is zoned PD-043 for the (SF-8.4/16) Single Family Residential District.
- The lot is used as a Detached Single-Family Home.
- The property owners are Robert E & Linda G Parker.
- An SUP for an accessory structure larger than 600 square feet is no longer necessary and the use of the property is allowed by right.

SUP-390

- Approved on 03/01/2011 to allow an “Automotive Mechanical and Electrical Repair and Maintenance” (Ord. 3429).
- Location is 1035 N. IH-35E.
- Approximately 3.486 acres.
- Previous tenant was Melvin’s Auto Repair.
- The SUP is no longer being used.
- Property owner is Castelan Alejandro.
- The property is zoned (FWY) Freeway District with the I-35E Overlay.

SUP-099

- Approved on 09/15/1987 to allow an “Mini-Warehouse with a Caretaker’s Apartment” (Ord. 1419).
- Subject building is located on the northwest corner of 1035 N. IH-35E.
- Previous tenant no longer occupies the subject building.
- The property is zoned (FWY) Freeway District with the I-35E Overlay.

REPRESENTED BY: City of Carrollton

STAFF ANALYSIS

PROPOSAL/BACKGROUND

This is a city-initiated request to reassess the continued appropriateness of 3 SUPs numbered 371 (2227 High Point Drive) for an accessory building in excess of 600 square feet, 390 (1035 N IH-35E) for automotive mechanical and electrical repair and maintenance, and 099 (1035 N IH-35E) mini-warehouse with a caretaker's apartment.

ELEMENTS TO CONSIDER

- The City periodically reviews SUPs to determine if approved land uses are operational or are no longer active. SUPs that are inactive or have not been operating are rezoned to remove the SUP designation from the official zoning map and repeal the ordinance adopted for the land use.
- These SUPs are either not being used or are now obsolete, as noted in the General Project Information section of this report.
- The property owner where each SUP is located was notified that the SUP repeal was being processed.

CONCLUSION

Staff believes SUP 371, SUP 309, and SUP 099 are no longer appropriate or necessary and the SUP ordinances should be repealed and removed from the official Zoning Map.



**Minutes
City of Carrollton
Planning & Zoning Commission
November 7, 2024
Briefing Session and Meeting**

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, November 7, 2024 at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
Mark Yarbrough, 1st Vice Chair
Willadean, Martin, Vice Chair
Jim Doyle
John Powell
Al Overholt
Kathleen Foster
Dave Hermon

Commission Members Absent:

Greg Kramer

Alternate:

Rusty Pendleton

Staff Members Present:

Loren Shapiro, Planning Manager
Ed Green, Plan Review Manager
Emily Offer, Senior Planner
Lydia Tormos, Planning Technician

Jonathan Wheat, Director of Engineering
Darwin Ortega, Senior Code Enforcement Ofcr.
John Romberger, Transportation Engineer
Albert Thomas, Asst. City Attorney II
Brett King, Director of Development Svcs.
Jared Nations, Fire Chief (Prevention)

Guests Present:

Daisy Palomo, Council Observer

*(Note: * = designation of a motion)*

7. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Repeal Three Special Use Permits** Numbered 371 (2227 High Point Drive) For An Accessory Building In Excess of 600 Square Feet And 390 (1035 North IH-35E, Suite 200) For Automotive Mechanical And Electrical Repair And Maintenance And 099 (1035 North IH-35E) Mini-Warehouse With A Caretaker's Apartment; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2023-156 Repeal Of Three SUPs**. Case Coordinator: Emily Offer.

Senior Planner Emily Offer stated this is a city-initiated request. She advised that SUP #371 located at 2227 High Point Dr. was issued to allow a structure in excess of 600 square feet to be built. This use now no longer requires a SUP and therefore can be repealed. For SUP #390 and #099, neither

DRAFT Planning & Zoning Commission Minutes November 7, 2024

of the uses exist on the properties, therefore the SUPs are no longer needed. Staff is recommending approval.

Commissioner Foster asked a clarifying question regarding SUP #71; Ms. Offer responded that in 2009 the size of the structure required a SUP.

Chair Windrow advised one comment card was received on this item. John Sutter, 2304 Watermill Cr. did not wish to speak but submitted a card in favor of this item. Chair Windrow opened the public hearing. There being no speakers he opened the floor for comments or a motion from the Commissioners.

- * *Commissioner Martin moved to close the public hearing and approve Case No. PLSUP 2023-156 Repeal of Three SUPs; second by Commissioner Yarbrough. The motion was approved with a vote of 8-0, (Kramer absent).*

PLANNING DEPARTMENT
CITY OF CARROLLTON
Date: 12/03/2024

PLSUP 2024-156
DEVELOPMENT NAME: REPEAL THREE
SUPS

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE REPEALING ORDINANCE NUMBER 3277 WHICH ESTABLISHED SPECIAL USE PERMIT NUMBER 371 ON JANUARY 6, 2009; REPEALING ORDINANCE NUMBER 1419 WHICH ESTABLISHED SPECIAL USE PERMIT NUMBER 099 ON SEPTEMBER 15, 1987; AND REPEALING ORDINANCE NUMBER 3429 WHICH ESTABLISHED SPECIAL USE PERMIT NUMBER 390 ON MARCH 1, 2011; AMENDING THE OFFICIAL ZONING MAP; PROVIDING SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Seventh day of November 2024, the Planning & Zoning Commission considered and made recommendation to repeal three Special Use Permits (Case No. PLSUP 2024-156); and

WHEREAS, these changes of zoning are in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on the Third day of December 2024, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendments to the zoning laws to repeal the three Special Use Permits are consistent with the purpose of the zoning district in which the above described properties are located; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendments to the zoning laws would provide for and would be in the best interest of the health, safety, morals and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Ordinance Number 3277 establishing Special Use Permit Number 371 is hereby repealed for a tract of land located at 2227 High Point Drive and depicted in Exhibit A.

Section 3.

Ordinance Number 1419 establishing Special Use Permit Number 099 is hereby repealed for a tract of land located at 1035 N IH-35E and depicted in Exhibit A.

Section 4.

Ordinance Number 3429 establishing Special Use Permit Number 390 is hereby repealed for a tract of land located at 1035 N IH-35E and depicted in Exhibit A.

Section 5.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

Section 6.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 7.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 8.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 9.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Third day of December 2024.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Albert Thomas
Assistant City Attorney II

Emily Offer
Senior Planner

EXHIBIT A

SPECIAL USE PERMIT LOCATOR MAPS

SUP-371 2227 High Point Drive



SUP 390 and SUP 099 1035 N IH-35E





Agenda Memo
File Number: 6997

Agenda Date: 12/3/2024

Version: 1

Status: Public Hearing/Individual Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 28.

CC MEETING: December 3, 2024

DATE: November 19, 2024

TO: Erin Rinehart, City Manager

FROM: Cory Heiple, Environmental Services Director
Shannon Hicks, Assistant City Manager

Hold A Public Hearing And Consider A Resolution To Adopt The Program Year 2023 Consolidated Annual Performance And Evaluation Report On The Use Of Community Development Block Grant Funds.

BACKGROUND:

This item is to receive public comment and to consider a resolution adopting the City’s Program Year (PY) 2023 Consolidated Annual Performance and Evaluation Report (CAPER). Federal regulations require the City to submit this annual report within 90 days of the program year's end, documenting how Community Development Block Grant (CDBG) funds were utilized during the program year.

On October 1, 2023, the City of Carrollton received a new allocation of \$727,587 in Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). Additionally, \$216,020.32 in unutilized funds from prior allocations was spent, resulting in a total expenditure of \$943,607.32 for Program Year 2023. In compliance with federal regulations, these funds were programmed to support activities benefiting low- and moderate-income residents of Carrollton. For Program Year 2023, the funds were allocated as follows:

- \$481,312.61 Infrastructure projects;
- \$107,342.60 Parks improvement projects;
- \$99,889.75 Metrocrest Services for Homeless Prevention programs;
- \$94,524.78 Administration including training, consultant contracts, and public notices;
- \$84,605.58 Minor Home Repair projects
- \$75,932.00 Enhanced Code Enforcement in CDBG target areas;

Staff has developed the required draft report and it has been available for citizen review for over 30

days in the Community Development office. Staff anticipates submitting the final report to HUD in advance of the December 31, 2024 deadline.

FINANCIAL IMPLICATIONS:

The drafting and adoption of the CAPER is required for continued participation in the CDBG Program. To date, the program has utilized nearly \$18 million in new resources for reinvestment in the oldest areas of Carrollton.

IMPACT ON COMMUNITY SUSTAINABILITY:

Annually, the Carrollton CDBG Program secures, allocates, and administers approximately \$800,000 in new community development resources for use in the oldest areas of the city. Long-term community sustainability is supported through this program and results in significant financial reinvestment in aging neighborhoods.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends the City Council conduct a public hearing and approval of the resolution to adopt the Program Year 2023 Consolidated Annual Performance and Evaluation Report.

Consolidated Annual Performance and Evaluation Report for Program Year 2023



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CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan.

91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The Consolidated Annual Performance and Evaluation Report (CAPER) represents the fifth and final year completed under the 2019-2023 Consolidated Plan for the City of Carrollton. The report represents October 1, 2023, through September 30, 2024. The objective of Carrollton's CDBG Programs is to support activities which meet at least one of the primary national Community Development Block Grant (CDBG) objectives, i.e., development of a viable urban community by providing a suitable living environment, decent housing, and expansion of economic opportunities for persons of low- to moderate- income. Based on the needs analysis performed in 2014, the following strategy areas were identified and are reaffirmed in this annual report.

- Improve Neighborhood Infrastructure: Use of CDBG funds to leverage infrastructure improvements.
- Enhanced Code Enforcement: Use CDBG funds to pay for one salaried code enforcement officer dedicated to inspecting multi-family apartment properties located in the city's CDBG target area.
- Assist Social Service Providers: Use of General Funds and CDBG funds for social service agencies assisting Carrollton residents of low- to moderate- income or residents who may be homeless in the city.
- Preserve Existing Housing Stock: Use of CDBG and General Funds to provide interior and exterior home repairs for homeowners who qualify for assistance.

In March 2020 the COVID-19 virus was defined as a pandemic and affected every aspect of the population in the United States. The United States Federal Government in March 2020 passed the Coronavirus, Relief, and Economic Security Act, also known as the CARES Act. The CARES Act provided additional funding to entitlement cities to provide additional services for low- to moderate- income individuals and families who were directly affected by the COVID-19 virus. The city allocated CARES Act funding to its fullest by allocating those funds for medical services and those who were homeless and impacted by the COVID-19 virus. The pandemic created a situation due to business closures and federally imposed shelter in place requirements which led to CDBG funded projects being delayed or cancelled creating an excess amount of CDBG allocated funds

in entitlement city accounts. This in turn caused cities such as Carrollton to exceed the allowed 1.5X yearly funding allocation, creating a timeliness problem with the U.S, Department of Housing and Urban Development (HUD) which the city has been trying to alleviate.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee’s program year goals.

Goal	Category	Indicator	Unit of Measure	Expected Strategic Plan	Actual Strategic Plan	Percent Complete	Expected Program Year	Actual Program Year	Percent Complete
Assist Service Providers	Homeless Non-Homeless Special Needs Non-Housing Community Development	Public service activities other than Low/Moderate Income Housing Benefit (General Funds)	Persons Assisted	75,000	66,204	88.3%	15,000	20,672	137.78%
Assist Service Providers	Homeless Non-Homeless Special Needs Non-Housing Community Development	Homeless Intervention - Overnight Shelter (CDBG)	Persons Assisted	200	15	7.5%	100	8	8.00%
Assist Service Providers	Homeless Non-Homeless Special Needs Non-Housing Community Development	Homeless Prevention (CDBG)	Persons Assisted	200	417	208.5%	100	208	208%
Improve Neighborhood Infrastructure	Non-Housing Community Development	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit (CDBG & General Funds)	Persons Assisted	25,000	169,609	678.4%	169,426	168,121	99.2%
Improve Neighborhood Infrastructure	Non-Housing Community Development	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit (CDBG & General Funds)	Households Assisted	500	340	68.00%	386	170	44.04%

Goal	Category	Indicator	Unit of Measure	Expected Strategic Plan	Actual Strategic Plan	Percent Complete	Expected Program Year	Actual Program Year	Percent Complete
Preserve Housing Stock	Affordable Housing, Non-Housing Community Development	Homeowners Housing Rehabilitated (CDBG)	Households Assisted	100	73	73.00%	39	12	30.77%
Enhanced Code Enforcement	Non-Housing Community Development	Housing Code Enforcement/Foreclosed Property Care (CDBG)	Household Housing Unit	3750	7048	187.9%	1200	2170	180.8%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

During PY23 a total of **\$943,607.32** in CDBG funding was used in the following manner:

- **\$481,312.61** Infrastructure Projects
- **\$99,889.75** Metrocrest Services for Homeless Prevention programs
- **\$75,932.00** Enhanced Code Enforcement
- **\$84,605.58** Minor Home Repair Program projects
- **\$94,524.78** Administration (Training, new 5-year Consolidated Plan, Notices, etc.)
- **\$107,342.60** Parks Infrastructure Project

The City also allocated General Funds to goals and objectives:

- **\$490,000** to enhance local social service agencies' activities for Carrollton's at-risk and vulnerable populations.
- **\$187,782** in salary for three staff positions in the Community Development Program

responsible for monitoring CDBG and Neighborhood Partnership activities.

- **\$90,726** for 29 projects in Neighborhood Empowerment Zone programs.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	381
Black or African American	174
Asian	2
American Indian or American Native	1
Native Hawaiian or Other Pacific Islander	2
Total	560
Hispanic	116
Not Hispanic	0

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The table above accounts for the distribution by race of housing activities for CDBG funded projects. In PY23, a total of 12 homes were rehabilitated using CDBG funds. CDBG funding was also used to address preventing homelessness through the city's partnership with Metrocrest Services. Metrocrest Services assisted a total of 708 individuals in this area. Hispanic recipients accounted for 16.1% of individuals assisted, African American/Black 24.2% of the individuals assisted, White (non-Hispanic) 36.8% of individuals assisted, Asian, American Native Indian, and

Hawaiian/Islanders were less than 1% of the individuals assisted. There were 160 individuals which have unknown racial and ethnic status who were assisted which accounts for 22.2% of assisted individuals.

In PY23 the total number and demographic characteristics of individuals served by the social service agencies which received general funds from the City of Carrollton is as follows: Of the 20,672 individuals served by Carrollton social service agencies, 8,143 (39.4%) were Hispanic, 6,387 (30.9%) were White (non-Hispanic), 1,364 (6.6%) were Black or African-American, 465 (2.2%) were Asian, 35 (.2%) were American Indian, 5 (.1%) were Pacific Islander, and 4266 (22.1%) were listed as other or unknown. In the American Communities Survey for Carrollton, ethnic and racial breakdown was roughly 41% White (non-Hispanic), 33% Hispanic, 15% Asian, and 10% Black/African-American.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	1,947,587	943,607
Other	public - federal	490,000	490,273

Table 3 - Resources Made Available

Narrative

The 2019-2023 Consolidated Plan for the City of Carrollton identified the preservation of existing housing stock as a priority. There are currently three housing rehabilitation programs within the City of Carrollton's Housing Rehabilitation CDBG Program, the Minor Home Repair Program, the Emergency Repair Program, and People Helping People Program which assists low- to moderate-income residents with making repairs to their homes. CDBG funding is also used for the salary of a code enforcement officer to perform enhanced code enforcement inspections at multi-family apartments in the city's LMI Target Area. Infrastructure projects have also been identified in the LMI areas which uses CDBG funding in conjunction with city General Funds to perform repairs, replacement of streets, sidewalks, alleyways, water and sewer lines in the area. CDBG funding has also been allocated for the use of updating and incorporating new amenities in multiple city parks located within the city's LMI Target Area.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
2019-2023 NOTICE Priority Neighborhoods	66	74	Used for home repair, enhanced code enforcement, infrastructure, homelessness

Table 4 – Identify the geographic distribution and location of investments

Narrative

There were three infrastructure projects completed in the LMI target area. These were new alley construction for Bowie Drive, Crockett Drive, and Ridgedale Drive. A fourth infrastructure project, Carrollton Heights Phase 1, has recently started and had funding drawn against it. The city also performed activities at five city parks within the target area as well. Further funding was used to provide the salary for a code enforcement officer who performs multi-family inspections of apartment communities in low- to moderate- target area. Four of the twelve CDBG Minor Home Repair projects were also located within the target area. This totaled \$700,675 in CDBG funding which accounted for 74% of CDBG funding spent in the city's target area.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

Assist Service Providers: Since 1998 the city's Community Development Program has worked to develop partnerships throughout the community. In PY23 the City of Carrollton continued to support social service agencies by distributing \$490,273 in General Funds to various social service providers who serve Carrollton residents. This funding in all cases amounts to less than 30% of the entire budget of any social service provider yet was used to leverage and add to many existing programs. The programs are discussed in more detail in Section CR-25 of this report. These providers help create necessary social safety nets for Carrollton's vulnerable populations and prevents overuse of other public services staff such as police, school districts, courts, and emergency personnel.

Community Development Staffing: Implementation and monitoring of CDBG funds for the city is performed by the Community Development staff. The salary for the three staff members amounts to \$187,782, which comes from the city's General Fund.

Neighborhood Empowerment Zones: Use of CDBG funding to assist low- to moderate- income residents resulted in the city creating additional programs using General Funds to address deteriorated housing and to revitalize neighborhoods in specifically selected areas of the city. These projects include minor home repairs, single-family rehab, and demolition/rebuild grants. The city used \$90,726 in General Funds to perform 29 projects in the Neighborhood Empowerment Zones.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	200	208
Number of Non-Homeless households to be provided affordable housing units	39	12
Number of Special-Needs households to be provided affordable housing units	0	0
Total	239	220

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	200	208
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	39	12

	One-Year Goal	Actual
Number of households supported through Acquisition of Existing Units	0	0
Total	239	220

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

Carrollton has no direct programs to provide homeless or non-homeless affordable housing units. In PY23 the city directed CDBG funding to Metrocrest Services aimed to assist residents in Carrollton who were homeless or at risk of becoming homeless.

The City of Carrollton had a one-year goal to rehab 39 existing housing units with CDBG funding. In PY23 a total of 12 CDBG funded rehabilitation housing projects were completed. An additional 29 Neighborhood Empowerment Zone projects were completed during PY23 with city General Funds.

Two issues which continue to cause an impact on meeting the city's One-Year Goal. The first has been the ongoing COVID-19 illness which creates situations where older individuals who are more susceptible to the infection are fearful of having contractors or groups around to make repairs on their homes due to their fear of acquiring the infection. Second, individuals who fail to provide the necessary paperwork to staff to confirm their eligibility and income level for use of CDBG funding or those who have intentionally misled staff or provided false information in attempts to gain access to the CDBG funded programs.

Discuss how these outcomes will impact future annual action plans.

In PY20 city staff had the belief with the emergence of COVID-19 many low- to moderate- income residents who live paycheck to paycheck would suffer a loss in wages which could prevent them from making necessary repairs on their homes. Staff increased the expected level of 21 rehabilitation projects in previous years to 39 projects since PY20. Since the anticipated increase has not occurred, starting in PY24 the city will be moving to reduce expected housing projects back to the previous expected levels. City staff will endeavor to research new methods of outreach to increase awareness of CDBG programs the city has available to Carrollton residents who qualify. Staff will also continue to ensure applicants provide all appropriate documentation to qualify for CDBG funded projects.

Include the number of extremely low-income, low-income, and moderate-income persons

served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	2	0
Low-income	6	0
Moderate-income	4	0
Total	12	0

Table 7 – Number of Households Served

Narrative Information

The Minor Home Repair Grants and Emergency Repair Grants funded through CDBG provided low- to moderate- income homeowners with assistance for interior and exterior repairs on their homes. In PY23 CDBG funding in the amount of \$84,605 was drawn upon to address 12 qualifying projects.

One hundred percent of all CDBG funding for Housing rehabilitation programs for the aforementioned grants were dedicated to persons of low- to moderate- income and were used for needed repairs affecting the health, safety, and long-term sustainability of the homes and surrounding neighborhoods. Twelve home rehabilitation projects were completed in PY23. Of these homes 2 (17%) were occupied by extremely low-income homeowners, 6 (50%) were low-income families, and 4 (33%) were for moderate-income families. Elderly homeowners accounted for 8 (67%) of the projects in PY23, and female head of household accounted for 11 (92%) of the projects completed.

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CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Strategies addressing the homeless and non-homeless with special needs populations are included in the 2019-2023 Consolidated Plan. The city continues to allocate a portion of its General Funds towards grants and donations to multiple Carrollton social service providers which target low- to moderate- income residents. In PY23 public services funding from the CDBG program was allocated to Metrocrest Services to address preventing homelessness and for homeless response. The city also provided \$490,000 in additional city funding to multiple social service agencies for assistance in anti-poverty initiatives, homelessness prevention, and special needs populations.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Carrollton does not receive Emergency Shelter Grant (ESG) funding.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

As noted earlier, in addition, the City Council made available \$490,000 in General Fund resources to agencies which are actively engaged in the provisions of social services in Carrollton.

In exchange for funding, the agencies and organizations work closely with the city in providing social services to all citizens in need. The close partnership the city has with each agency has grown with each year of collaboration. The Community Development staff have provided technical, referral, and capacity building assistance for the agencies when called upon.

In PY23 the city helped accomplish the following goals through its local non-profit partners in an attempt to reduce the overall number of persons living in poverty in Carrollton

- Funded food pantries in both Dallas and Denton counties which the City of Carrollton resides.
- Improved access to preventative care, basic health care, and medical services for low- to moderate- income families thus reducing costs for medical services and expensive trips to the emergency room.
- Improved the linkage between job training programs and local job creation efforts to attract jobs that pay above minimum wages and provide people with the ability to service a home mortgage.
- Promoted financial counseling and classes on budgeting and money management. In PY23 the City continued to promote area training and educational opportunities in this area.
- Promoted linkages between housing, employment, and educational systems and/or facilities.
- Promoted programs and training that help families-in-need to become more self-sufficient.
- Funded after-school programs for low-income students providing tutoring and college preparation for junior high school and high school students coming from families where the majority of parents never finished high school.
- Funded domestic violence and leadership training for adults and children.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The city's position on this issue will continue to be one of supporting and assisting social service agencies working to address this challenge in a coordinated and proactive manner. The city continued in PY23 to direct CDBG funding to Metrocrest Services to address homelessness issues in the city.

The aforementioned services are provided to the homeless population, populations at risk of becoming homeless, and those transitioning from homelessness. The City of Carrollton also supplements the work of various city funded social service agencies to end chronic homelessness by promoting the preservation and maintenance of existing housing through its Minor Home Repair Grants and Emergency Repair Grants.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

This section is not applicable, as the City of Carrollton does not have a public housing authority. Also, the city does not receive or administer funds for assisted housing. Data on the number of individuals with section 8 housing in Carrollton was not available. The residents of the city are primarily split between two counties comprising Carrollton. In Dallas County housing is performed by the Dallas County Housing Authority. The Denton County Housing Authority performs the same work for residents residing in the Denton County parts of the city.

The Dallas County Housing Authority currently has a waiting list for Section 8 housing which exceeds 6,000 families.

The Denton County Housing Authority maintains Section 8 housing vouchers for the county and has closed the waiting list as currently there is an approximate five-year waiting period for those currently listed on the housing list.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The City of Carrollton does not offer a first-time home buyer's program or provide incentives for purchasing homes currently. In the next five-year Consolidated Plan for 2024-2028 the city will be attempting to purchase property with the intent of constructing affordable single-family homes specifically for qualifying low- to moderate- income families. The pilot project hopes to purchase up to 3 lots and work with Habitat for Humanity or other construction social service agency to construct the homes on the city obtained properties.

Actions taken to provide assistance to troubled PHAs

The City of Carrollton does not operate a public housing authority. The majority of the city straddles two counties - Dallas County and Denton County. Both of the counties operate PHA's and are regulated by the county government and not the city.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City of Carrollton continues to maintain a strong emphasis on safe and affordable housing for all residents. The City of Carrollton Environmental Services Department has two inspection programs geared towards maintaining rental properties: one for single-family rental property and the other for multi-family rental property.

The Single-Family Rental Registration and Inspection Ordinance adopted by the City Council ensures tenants and landlords of single-family residential rental properties are involved in maintaining their properties in a safe and sanitary condition. The Single-Family Rental Inspection Program is effective in ensuring a sustainable community and safe housing is available in all of the neighborhoods in Carrollton. The ultimate goals are to improve the overall condition of rental properties, to reduce health and safety risks, and to prevent blight which affects surrounding homes, thus enhancing property values within the affected neighborhoods. This ordinance requires all rental property owners and companies who lease single-family homes or duplexes in Carrollton to register those properties with the City and make them available for inspection should complaints or city staff observe city code violations on the property.

The Multi-Family Inspection Program works to stabilize, maintain, and enhance all of the apartment communities in Carrollton. The program operates in partnership with the residents and management staff of those apartment communities to achieve this goal through the enforcement of the City's Code of Ordinances and the Comprehensive Zoning Ordinance. The Multi-Family Inspection Program operates by performing annual inspections of apartment communities. These detailed inspections of apartment communities include interior and exterior inspections of apartment units within the community and the CDBG Target Area. The number of apartment unit interiors is normally 15% of the total number of units within the apartment community. However, if the property has a constant history of non-compliance or serious health and safety issues the city may inspect up to 100% of all of the apartment units to ensure residents are living in a safe and healthy environment. The city also addresses any apartment complaints submitted to the city and city staff perform inspections to determine if potential violations are present.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City of Carrollton has further initiatives to address issues of aging housing which is funded

through General Funds and not CDBG funds. The city council approved the creation of five Neighborhood Empowerment Zones (NEZ) in neighborhoods at the greatest risk of distress due to housing conditions, age, and the condition of infrastructure. One of the current incentives for residents and owners within the designated Neighborhood Empowerment Zones is the waiving of construction fees, including building permit fees, impact fees, platting fees, and project permit fees (fences, electrical, plumbing, etc.), for both commercial and residential properties to encourage repair, rehabilitation, and redevelopment in those areas of the city.

Three programs operating tied to the Neighborhood Empowerment Zones are as follows:

- NEZ Minor Home Repair: Income qualifying homeowners living in one of the five Neighborhood Empowerment Zones can receive up to \$7,500 for exterior improvements, including items not on the house itself, such as fences, retaining walls, sewer lines.
- Single-Family Rehabilitation Incentive: Any homeowner living in a Neighborhood Empowerment Zone in a home that is at least five years old qualifies for a reimbursement of 25% of exterior rehabilitation expenses if the homeowner invests a minimum of \$1,000 in rehabilitation work.
- Demolition/Rebuild Incentive: Any property owner within the NEZ area who has a house in disrepair and is substandard may apply to the city for this incentive. This incentive includes reimbursement for full demolition costs of the house on the property and provides a tax credit towards the value of new home construction. The tax credit is applied for a period of ten years in the form of a one-time payment from the city.

These programs offer another level of support to property owners in older neighborhoods of the city. In PY23 awarded \$90,726 in city funding for 29 projects.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

During PY23, The City of Carrollton has continued to demonstrate its commitment to the eradication of lead-based paint hazards in the community.

For residents receiving assistance under the city's Minor Home Repair, Emergency Repair, and People Helping People Programs the city follows federal regulations where a lead-based paint hazard is involved. To determine if a lead-based paint hazard is present, houses built before 1978 are tested for the presence of lead by a certified technician. In the event lead-based paint is present, the city hires technicians certified in safe work practices for the removal of lead-based paint.

All CDBG funded projects meet all applicable regulations related to lead-based paint. Residences

built before 1978 utilizing the Minor Home Repair Program are tested for lead-based paint to comply with HUD requirements. In the event lead-based paint is detected, HUD guidelines are followed, including the distribution of lead-based paint information. In PY23 five projects required testing for lead based paint hazards. None of those tests came back positive so no further remediation was necessary.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

During PY23 the City of Carrollton provided general funding of \$490,000 to social service agencies to address local objectives and strategies identified in the 2019-2023 Consolidated Plan. All the agencies identified in Appendix 1 predominantly serve persons of low- to moderate- income.

The city council considers the awarding of social service contracts annually. The city is proud of its continued partnership with the identified agencies/organizations. A brief outline of the specific services and activities offered by each of the agencies is also included in Appendix 1.

Cumulatively, these agencies served 20,672 individuals in Carrollton. The agencies identified and served 8,143 (39.4%) Hispanics, 1,364 (6.6%) African-Americans, and 465 (2.2%) Asians. These specific demographic groups accounted for 48.2% of the individuals served by the city funded social service agencies.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Neighborhood Reinvestment

In previous years the city has used CDBG funding to perform infrastructure projects in low- to moderate- neighborhoods in Carrollton. However, due to the changes and revisions in Section 3 the city infrastructure projects have been impacted by the new requirements. This has resulted in the reduction of funding on such projects to a \$200,000 cap in order to perform work in areas of infrastructure without Section 3 penalties being applied. In PY23 infrastructure projects used CDBG funding for alleyway replacements on the 2200 Block of Ridgedale Drive, 2200 Block of Crockett Drive, and 2200 Block of Bowie Drive. CDBG funding was also used to make improvements to 5 city parks located with the LMI Target Area.

The city will continue to evaluate all neighborhoods in Carrollton to establish and determine areas of immediate infrastructure needs. The city does perform enhanced code enforcement with a CDBG funded code enforcement officer who conducts apartment inspections for multi-family communities located within the CDBG target area.

Neighborhood Matching Grants

The city has an established Neighborhood Enhancement Matching Grant Program which may provide up to \$25,000 in general funds to perform upgrades and enhancements to public property within a neighborhood. These grants can be used for beautification, signage, and landscaping projects.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

This section is not applicable as Carrollton does not have a public housing authority.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

In PY20 the City of Carrollton completed the Analysis of Impediments to Fair Housing and continues to review relevant aspects applicable to Carrollton. The city will be moving to update the Analysis of Impediments in PY24.

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CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City of Carrollton's Community Development Program continuously monitors programs and projects to ensure compliance with all applicable laws and regulations. Staff focuses on the following areas: environmental, financial, labor relations, and programmatic areas.

The environmental standards and procedures developed and implemented include the completion of compliance checklists for all activities and the city's annual Environmental Review Record (ERR). Staff maintains a copy of the ERR available for year-round public review during regular business hours in the Environmental Services Department at City Hall located at 1945 E. Jackson Road, Carrollton Texas.

Community Development program staff and the city's accounting staff administer financial monitoring for all projects, programs, and activities. The city's Treasury Division works closely with the Community Development staff to ensure all drawdowns are made after all ledgers and records have been reconciled and approved. The city's Purchasing Department assists with procurement and the general bidding process to ensure compliance with all applicable state and federal regulations. The financial operations and expenditures of the city are audited on an annual basis by an independent accounting firm.

The Community Development staff administers, monitors, and reviews labor standards on all capital improvement projects. Contractors are provided with training prior to the start of each project. All applicable Davis-Bacon and Related Acts (DBRA) are explained to the contractor. All contractor payments are contingent upon payment of proper wages to employees and the city's receipt of appropriate payroll records. Contractors are reviewed to ensure they have a SAMS and DUN number and have not been disbarred from receiving federal funds.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports

The first public hearing for the PY23 CAPER was held on Thursday, November 14, 2024, before the Neighborhood Advisory Commission. The second public hearing for the PY23 CAPER was held on

Tuesday, December 3, 2024, before the Carrollton City Council. Notice was posted for the public hearing in the Dallas Morning News. These hearings summarized the report, noting it has been available for review either in person at City Hall or through the city's website. Citizen comments were welcomed at the hearings or in writing and instructions were provided on how to comment.

Neighborhood Advisory Commission Public Hearing - Thursday, November 14, 2024

The Neighborhood Advisory Commission held a public hearing on Thursday, November 14, 2024, to receive comments on the PY23 CAPER. At the meeting there were no public comments received during the public hearing regarding the PY23 CAPER. After receiving no public comments, the Neighborhood Advisory Commissioners were asked if they had any questions regarding the presentation of the draft PY23 CAPER. Staff received no comments from the commissioners.

As there were no further comments from the commissioners, the chair moved to close the public hearing and a motion was made to pass the PY23 CAPER and forward it on for a public hearing before the City Council on December 3, 2024. The commissioners voted 9 to 0 to pass the resolution and forward the report onto the Carrollton City Council.

City Council Public Hearing - Tuesday, December 3, 2024

The City Council held a public hearing on Tuesday, December 3, 2024, to receive comments on the PY23 CAPER. At the meeting there were _____ public comments regarding the PY23 CAPER. After asking for and receiving _____ public comments, the City Council voted _____ to _____ a resolution _____ the PY23 CAPER and forwarding the report to the Department of Housing and Urban Development.

_____ public comments were received by staff through email, written correspondence, or reported in on site visits.

Public Notices were featured on the city's website and were published in the Dallas Morning News on Sunday, October 23, 2024, and Sunday, November 3, 2024.

CR-45 – CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction’s program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

In PY23 the Action Plan for the City of Carrollton was amended due to a timeliness issue with excess funding the city had on hand. This excess funding had accumulated due to cancellation of projects during the COVID-19 pandemic and due to revisions to Section 3 requirements. The amended PY23 Action Plan allocated an additional \$315,000 for infrastructure projects in LMI neighborhoods and city parks located in the LMI area. A workout plan was submitted to HUD indicating the projects and funding to be used during PY23. Unfortunately, all of the projects were not completed by the August 6, 2024 Timeliness Date and the city found itself above the 1.5 X yearly allocation allowance. HUD though has made revisions to the timeliness issue due to the impact COVID-19 had on a large number of CDBG recipient cities, who also are suffering under timeliness requirements. HUD has provided an additional year to address timeliness issues. The City of Carrollton in PY24 has already submitted it’s Action Plan as part of the 2024-2028 Consolidated Plan calling out projects based on the total funding the city had available, which includes the overages. The city will be submitting another workout plan indicating how the city projects will be scheduled and funded for PY24.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

Carrollton is not a BEDI grantee.

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

Total Labor Hours	CDBG	HOME	ESG	HOPWA	HTF
Total Number of Activities	0	0	0	0	0
Total Labor Hours	0				
Total Section 3 Worker Hours	0				
Total Targeted Section 3 Worker Hours	0				

Table 8 – Total Labor Hours

Qualitative Efforts - Number of Activities by Program	CDBG	HOME	ESG	HOPWA	HTF
Outreach efforts to generate job applicants who are Public Housing Targeted Workers	0				
Outreach efforts to generate job applicants who are Other Funding Targeted Workers.	0				
Direct, on-the job training (including apprenticeships).	0				
Indirect training such as arranging for, contracting for, or paying tuition for, off-site training.	0				
Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).	0				
Outreach efforts to identify and secure bids from Section 3 business concerns.	0				
Technical assistance to help Section 3 business concerns understand and bid on contracts.	0				
Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns.	0				
Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services.	0				
Held one or more job fairs.	0				
Provided or connected residents with supportive services that can provide direct services or referrals.	0				
Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation.	0				
Assisted residents with finding child care.	0				
Assisted residents to apply for, or attend community college or a four year educational institution.	0				
Assisted residents to apply for, or attend vocational/technical training.	0				
Assisted residents to obtain financial literacy training and/or coaching.	0				
Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.	0				
Provided or connected residents with training on computer use or online technologies.	0				
Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses.	0				

Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.	0				
Other.	0				

Table 9 – Qualitative Efforts - Number of Activities by Program

Narrative

None of the completed activities by the city in PY23 qualified under Section 3 requirements.

DRAFT

Attachment A

ATTACHMENT - A

Social service agencies funded through General Funds

Make It Count (formally Bea's Kids)

P.O. Box 110165, Carrollton, TX 75011-0065

Phone: (972) 342-8175

Email: info@beaskids.org

Website: makeitcountntx.org

Make It Count (formally Bea's Kids) is a non-profit 501(c)(3) organization that has been serving underprivileged children and parents since 1990. Services include educational, cultural, recreational and sports programs and activities. The program also provides food, clothing and medical/dental care. Bea's Kids leads a crusade against hunger, illiteracy, domestic strife, parental neglect, drugs, violence, gangs, school dropouts and poverty.

CASA of Denton County, Inc

614 N. Bell Avenue, Denton, TX 76209

Phone: (940) 243-2272

Email: gstuder@casadenton.org

Website: www.casadenton.org

CASA of Denton County, Inc. serves children (ages 0-18) who have been removed from their homes by Child Protective Services due to abuse or neglect. Their service area is Denton County and includes children from the portion of Carrollton within Denton County. CASA provides independent, objective guidance in court regarding the children's best interests and is a constant provider of support during that experience.

Children's Advocacy Center for Denton County

1854 Cain Dr, Lewisville, TX 75077

Phone:(972) 538-9623

Email: ellen@cacdc.org

Website: www.cacdc.org

Children's Advocacy Center of Denton's mission is to empower child abuse victims, their families, and community through education, healing, and justice. They coordinate the investigation and prosecution of severe child abuse cases for law enforcement, Department of Family and Protective Services, and the District Attorney's Office through a multi-disciplinary team response, providing critical, no-cost victim services to child victims.

Metrocrest Services

1145 N. Josey Lane, Carrollton Texas 75006

Phone: (972) 446-2100

Email: teubanks@metrocrestsocialservices.org

Website: www.metrocrestsodicalservices.org

Metrocrest Services provides referral services, short-term emergency assistance for rent, utilities, food, clothing, medical and other financial needs in a time of family crisis. Other services include job assistance, food bank, and thrift store. Metrocrest Services collaborates and partners with local governments, businesses, and non-profits for mobilization and maximization of resources.

WOVEN Health Clinic

1 Medical Parkway, Plaza One, Ste. 149, Farmers Branch, TX 75234

Phone: (972) 755-4656

Email: lrigby@wovenhealth.org

Website: www.wovenhealth.org

WOVEN provides low cost primary care and a limited number of specialty services to uninsured low income residents between the ages of 16 and 65. The focus of the clinic is providing patients a medical home which will help them improve and maintain their health by regular visits with a physician, educational services and access to resources from the clinic.

PediPlace

502 S. Old Orchard Lane, Ste. 126, Lewisville, TX 75067

Phone: (972) 436-7962

Website: www.pediplace.org

PediPlace is a nonprofit organization with provides low cost care specially targeted for children. They provide medical as well as mental health services for those children in need.

Lovepacs

5533 Rock Canyon, The Colony, TX 75056

Phone: (469) 421-0292

Website: lovepacs.org

Born out of a desire to help children in need, Lovepacs was created in order to provide meals to students, who would otherwise go hungry during school holidays. Through coordination with local schools and its volunteers, Lovepacs engages communities to feed children.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, ADOPTING THE PROGRAM YEAR 2023 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, the City of Carrollton received \$727,587 in Community Development Block Grant Funds from the United States Department of Housing and Urban Development in Program Year (PY) 2023; and has prepared a Consolidated Annual Performance and Evaluation Report (CAPER); and

WHEREAS, the PY 2023 CAPER was made available for public review in accordance with federal law, and scheduled public hearings to provide all persons the opportunity to present verbal and written testimony, for a period in excess of thirty (30) days; and

WHEREAS, on November 14, 2024, the Neighborhood Advisory Commission held a public hearing on the draft PY 2023 CAPER and, after all persons were given an opportunity to present verbal and written testimony, did consider and make a recommendation to adopt the PY2023 CAPER; and

WHEREAS, on December 3, 2024, the City Council conducted a second public hearing on the draft PY 2023 CAPER and determined that adoption of the PY 2023 CAPER serves the best interests of the City by facilitating continued program participation and securing additional community resources to benefit low- and moderate-income residents;

WHEREAS, the City Council has been presented and reviewed the PY 2023 CAPER and is attached hereto as Exhibit "A", which is incorporated herein for all purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT;

SECTION 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and are hereby approved, ratified, and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2.

The PY 2023 CAPER, which is attached hereto and incorporated herein for all purposes, documents the performance and accomplishments for the Community Development Block Grant as related to the adopted 2019-2023 Consolidated Plan and is hereby adopted by the City Council.

SECTION 3.

This report will constitute the PY 2023 CAPER for the City of Carrollton, Texas for all matters related to program planning, accomplishments, and performance relative to the Community Development Block Grant program and other programs administered by the United States Department of Housing and Urban Development.

SECTION 4.

The City Manager is authorized to sign the required program certifications and to take all other action necessary to effectuate the intents and purposes of this Resolution.

SECTION 5.

This Resolution shall take effect upon passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 3rd day of December 2024.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd,
City Attorney

APPROVED AS TO CONTENT:

Cory Heiple,
Environmental Services Director



Agenda Memo

Agenda Date:

Version: 1

Status: Public Forum

In Control: City Council

File Type: Public Forum

Agenda Number: 29.

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.