

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
APRIL 18, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, April 18, 2023 at 5:45 pm with the following members present; Mayor Steve Babick, Mayor Pro Tem Andrew Palacios, Deputy Mayor Pro Tem Nancy Cline, Councilmembers Christopher Axberg, Adam Polter, Richard Fleming, Young Sung and H.A. "Rusty" Pendleton. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, 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 pm.

1. Receive information and discuss Agenda.

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

- 2. Council convened in Executive Session at 5:58 pm** 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.
 - *Cause No. DC-19-02648, Weir Brothers Contracting, LLC v. The City of Carrollton*, in the 162nd Judicial District Court of Dallas County, Texas.
- 3. Council reconvened in Open Session at 6:15 pm** to consider action, if any, on matters discussed in the Executive Session.

The City Council has agreed to and directed the City Manager to negotiate and execute a settlement agreement with the Plaintiffs in the matter entitled Weir Brothers, Contracting, LLC v. The City of Carrollton, CD-19-02648, in an amount not to exceed \$500,000, with \$405,000 from the City and the balance of \$95,000 from the co-defendants.

*****WORKSESSION*****

Mayor Babick convened the Worksession at 6:15 pm.

4. Receive Introduction And Update From Carrollton-Farmers Branch Independent School District Superintendent.

Dr. Wendy Eldredge, Superintendent of the CFBISD, provided a brief personal and career background. She talked about the importance communicating with the community and stated she looks forward to working with the City. Councilmembers voiced welcoming comments.

5. Receive Briefing On Carrollton-Farmers Branch Schools Bond Election From "VoteFORCFB" (PAC).

Mary Lovell advised that “VoteFORCFB” is a volunteer based political action committee created to advocate in favor of the CFBISD’s 2023 bond proposition on the May ballot. She stated that in 2022, the CFBISD Trustees created a 60-member District wide committee to study its 33+ facilities to determine what was needed. She advised that the committee unanimously recommended that the Trustees ask voters to approve enabling the District to invest \$716.4M through issuing construction bonds. She spoke regarding required ballot language that is confusing and underscoring that the tax rate would not change. She spoke strongly in favor of the proposed bonds and stressed that voting for the bond would not increase the tax rate and would not increase taxes at all for those who are over 65 years of age with homesteaded properties. She stated that a list of projects could be found on the bond website.

7. Receive Update From The North Texas Emergency Communications Center.

Terry Goswick, Executive Director of NTECC, provided an update of 2022 starting with Call Volume information for the entire area and noting the Carrollton 9-1-1 Call Volume of 75,903. Total calls for service for the Fire Department were 14,646 and calls for service for the Police Department were 50,200. With regard to funding, he provided the following information:

Grants

FY23 Grant Funding: \$1,181,229.72

Carrollton Allocation: \$593,878.60

Key Features:

- *247 (non-emergency number)
- All Digital – 6-way redundant 9-1-1 system
- Mental Health Screening
- RQI/CPR Improvement
- Prepared 9-1-1

Mr. Goswick explained that NTECC receives calls made to the Carrollton non-emergency number and they transfer any call for the Police Department Administration. Mayor Babick thanked Mr. Goswick for the update.

6. Receive Legislative Update.

Robert Howden, the City’s legislative consultant from Waterloo Capitol Public Affairs, provided an update on the 88th Legislative Session. He advised there were more Bills filed than ever – close to 9,000 Bills filed; roughly 5,000 in the House and the remaining in the Senate. He felt that HB 2127 was pre-emptive but would be passed. He stated the Bill is not good but it’s not as bad as it started. He felt it was very vague and unliked by cities. He talked about the destination sales tax Bill that he felt would severely impact Carrollton’s finances but he hoped it would die in calendars. He stated that there didn’t appear to be as many anti-city bills filed as there was in the past. He stated there is a lot of talk about the budget surplus of roughly \$32B; half is expected to go to residential property tax relief and some of it will go to Health & Human Services for mental health issues. He suggested that the Council invite a couple of the State Legislators to a meeting after the Legislative Session. City Attorney Meredith Ladd updated the Council regarding HB 2127 stating the Bill is better than it was.

Mayor Babick thanked Mr. Howden for the update.

8. Mayor And Council Reports And Information Sharing.

Mayor Babick adjourned the Worksession at 7:04 pm.

*****REGULAR MEETING 7:00 PM*****

Mayor Babick called the meeting to order at 7:16 pm.

INVOCATION – Councilmember Richard Fleming

PLEDGE OF ALLEGIANCE – Councilmember Rusty Pendleton

PRESENTATIONS

9. Present A Proclamation Recognizing National Public Safety Telecommunicators Week.
10. Present A Proclamation To Denton County CASA Recognizing Child Abuse Prevention Month.
11. Recognize The Carrollton Parks And Recreation Department For Receiving The 2023 Lone Star Recreation Programming Achievement Award From The Texas Recreation And Parks Society.

PUBLIC COMMENT

12. **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.

Terence Vidovic asked about the bid for the Fire Truck.

There were no other speakers.

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.)*

Deputy Mayor Pro Tem Cline moved approval of Consent Agenda Items 13-22; second by Councilmember Sung. The motion was approved with a unanimous 7-0 vote.

BIDS & PURCHASES

***13. Consider Authorizing The City Manager To Purchase Annual Support and Preventive Maintenance Plan for Microwave and Radwin Base Station Equipment from Alpha Omega Wireless Through TIPS Purchasing Cooperative For An Amount Not To Exceed \$41,000.00 Annually For A Three-Year Term Totaling \$123,000.00.**

***14. Consider Authorizing The City Manager To Purchase Network cable pulls, Fiber connections and Electrical work from CTG-Connect Technology Group LLC Through TIPS Purchasing Cooperative For A Total Amount Not To Exceed \$100,000.00.**

***15. Consider Approval Of The Purchase Of Rapid7 Managed Detection And Response Service From Solid Border, Inc Through A Cooperative Contract with DIR In An Amount Not To Exceed \$160,000.00 Annually For A Three-Year Term Totaling \$480,000.00.**

***16. Consider Approval Of The Replacement Of One (1) Ferrara Fire Ladder Truck With One (1) Pierce Enforcer Ladder Truck From Siddons Martin Emergency Group Through An Interlocal Agreement With The HGAC Purchasing Cooperative In An Amount Not To Exceed \$1,610,462.00.**

***17. Consider Approval Of The Purchase And Installation of Six (6) Generators For Emergency Power Generation From McKinstry Essention, LLC Through The TIPS Cooperative Purchasing Agreement In An Amount Not To Exceed \$2,723,273.00.**

***18. Consider Approval Of The Purchase Of Four (4) Autonomous Mowers With Charging And Reference Stations From Husqvarna Through A Cooperative Purchasing Agreement With Omnia In An Amount Not To Exceed \$67,987.76.**

***19. Consider Approval Of The Purchase Of One (1) Chevrolet Silverado 2500 Truck From Lake Country Chevrolet Through An Interlocal Agreement With The TIPS Purchasing Cooperative In An Amount Not To Exceed \$51,897.45.**

***20. Consider Approval Of The Purchase Of Two (2) John Deere 2030A Gators And One (1) HD200 Select Spray Attachment From United Ag And Turf Through A Cooperative Purchasing Agreement With Sourcewell In An Amount Not To Exceed \$98,699.33.**

***21. Consider Approval Of RFP #23-008 For Risk Management Consultant Services To Charlesworth Consulting, LLC In The Amount Of \$49,500.00 Annually, For A Total Two-Year Contract Value Not To Exceed \$99,000.00.**

RESOLUTIONS

***22. Consider A Resolution Authorizing The City Manager To Enter Into A Demolition Grant and Rehabilitation Incentive Agreement On An Eligible Property Located At 1708 East Belt Line Road, And Located Within A Neighborhood Empowerment Zone, In A Total Grant Amount Not To Exceed \$25,000.00.**

OTHER BUSINESS

23. Consider A Committee Appointment Appointing A Representative And An Alternate To The Trinity River Authority Central Regional Wastewater System Advisory Committee.

Mayor Babick advised that the appointee would be Deputy Mayor Pro Tem Nancy Cline and the alternate would be Melissa Everett, Director of Finance.

Councilmember Sung moved approval of Item 23; second by Councilmember Pendleton. Councilmember Fleming asked who was on the Committee last year and Mayor Babick responded that it was the same two people. **The motion was approved with a 6-1 vote, Councilmember Fleming opposed.**

24. Reconsider The Failed Motion For Approval Of An Ordinance Amending The Zoning On An Approximately 3.8-Acre Tract Zoned To The (SF-12/20) Single-Family Residential District And Located At 2400 Briardale Drive And Approximately 480 Feet East of Kelly Boulevard, To Amend And Reestablish Planned Development District 119 (PD-119) To Change The Base Zoning To The (SF-8.4/18) Single-Family Residential District And Modify Development Standards, And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2022-196 The Enclave.

Councilmember Sung stated that after more consideration about the item, he would like the Council to reconsider the failed motion.

Councilmember Sung moved approval of Item 24; second by Councilmember Pendleton. Mayor Babick explained that the motion sets aside the vote taken at the last meeting but does not take action on the item. Case No. PLZPD 2022-196 The Enclave would be placed on a future agenda for consideration. **The motion was approved with a unanimous 7-0 vote.**

PUBLIC FORUM

25. 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.

Diane Etheridge, 2527 Nature Bend, spoke in favor of the CFBISD 2023 bond, Proposition A and explained that the Committee looked at everything in the District.

Catherine Harland, 1210 Derbyshire Lane, spoke in support of the CFBISD 2023 Bond. She explained that by law, the funds must be used in the manner approved by the vote. She stated that she was a member of the 2018 Bond Oversight Committee; the mission of which was to ensure that the projects that were funded by the bond were consistent with projects, intents and budgets of the Citizen Committee. The final report of the Committee indicated that the implementation met the intentions of the Citizens' Committee, Trustees and the voters.

Mary Lovell, representing the "VoteFORCFB" Political Action Committee (PAC), asked that citizens vote for the bond and she explained why a PAC was needed. She stressed that the tax rate would remain the same.

Billy Bob Nesser, 1415 Caroline Place, stressed that the bond does not include a lot of flash; it has a lot of need and stated he would vote in favor.

Alexander Fincher, 2700 Old Denton Road, stated that today is a very big day for those remembering the Holocaust. She expressed a desire that Carrollton always remember the Holocaust and stated that evil will destroy a friendship, town or community.

Tony Pennington stated with concern that some things have happened over the last week that revealed that Carrollton needs change. He specifically talked about what to do with ammunition.

Terence Vidovic inquired about his Open Records Request.

Deandre Murphy, former student of CFBISD, spoke about the positive impacts of a foreign exchange program to experience different cultures.

ADJOURNMENT - Mayor Babick adjourned the meeting at 7:56 pm.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor