

# City of Carrollton

*1945 E. Jackson Road  
Carrollton, TX 75006*



## REGULAR WORKSESSION & MEETING

**Tuesday, February 7, 2023**

**5:45 PM**

**CITY HALL, 2nd Floor**

### **City Council**

*Mayor Steve Babick  
Mayor Pro Tem Andrew Palacios  
Deputy Mayor Pro Tem Nancy S. Cline  
Councilmember Christopher Axberg  
Councilmember Adam Polter  
Councilmember Richard Fleming  
Councilmember Young Sung  
Councilmember H.A. "Rusty" Pendleton*

**\*\*\*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.
  - Civil Action Under Chapter 54 of the Texas Local Government Code to remedy violations of municipal health and safety ordinances against two properties located in Carrollton, Denton County.
3. Council will reconvene in open session to consider action, if any, on matters discussed in the Executive Session.

**\*\*\*WORKSESSION\*\*\***

4. Present **An Overview Of The Annual Financial Comprehensive Report For Fiscal Year Ending September 30, 2022.**
5. **Mayor And Council Reports And Information Sharing.**

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

**INVOCATION - Councilmember Young Sung**

**PLEDGE OF ALLEGIANCE - Councilmember Adam Polter**

**PRESENTATIONS**

6. Presentation **Honoring Commissioner Ron Marchant For His Service To Carrollton And Denton County.**

**PUBLIC COMMENT**

7. **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.)*

**BIDS & PURCHASES**

- \*8. **Consider Approval Of The Purchase Of One (1) Stryker Power-LOAD System And One (1) Stryker Power Pro 2 Patient Cot Along With Associated Installation Equipment Through The Stryker Medical Corporation As A Sole Source Provider In An Amount To Not Exceed \$66,000.00.**
- \*9. **Consider Approval Of A Synthetic Turf Surface For Various Playgrounds By AstroTurf Through An Inter-Local Agreement With OMNIA Partners In An Amount Not To Exceed \$190,313.89.**
- \*10. **Consider Approval To Purchase Digital Materials From Sole Source Vendor Bibliotheca In An Amount Not To Exceed \$115,500.**
- \*11. **Consider Approval Of Changing The Vendor For The Purchase Of Four (4) Frazer LTD Ambulances To Rush Truck Centers Through An Interlocal Agreement With BuyBoard In An Amount Not To Exceed \$1,198,184.50.**
- \*12. **Consider Authorizing The City Manager To Purchase IT Products And Services From Freeit Data Solutions Through A Cooperative Purchasing Program With Texas DIR In An Amount Not To Exceed \$150,000.00.**

**CONTRACTS & AGREEMENTS**

- \*13.** Consider Authorizing The City Manager To Execute Change Order No. 2 With 3D Paving And Contracting, LLC For Additional Work On Greenwood Road And Greenwood Circle, Scott Mill Road, Brentwood Lane And Wedgewood Lane As Part Of The Northcrest Estates Street Reconstruction Section 2 NOTICE Project, In An Amount Not To Exceed \$81,392.90, Increasing The Total Project Contract To An Amount Not To Exceed \$3,217,538.90.

**ORDINANCE**

- \*14.** Consider An Ordinance Amending The Capital Budgets For Fiscal Year October 1, 2022, Through September 30, 2023.

**RESOLUTIONS**

- \*15.** Consider A Resolution Accepting The Investment Officer's Quarterly Report For First Quarter Ended December 31, 2022.
- \*16.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Teague, Nall, & Perkins, Inc. For Engineering Design Services Related To The Perry Road And Country Club Drive Street Reconstruction Projects In An Amount Not To Exceed \$86,600.00, For A Revised Contract Amount Not To Exceed \$847,900.00.
- \*17.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With O'Brien Engineering, Inc. For Engineering Design Services Related To The McInnish Park Concessions And Parking 2022 Project In An Amount Not To Exceed \$99,804.00.
- \*18.** Consider A Resolution Authorizing The City Manager To Renew A Lease Agreement With Buckeye Capital Investments, LLC For The Employee Health And Wellness Center.
- \*19.** Consider A Resolution Authorizing The City Manager To Execute A Contract With SA Benefits Services, Medical Risk Managers and Zurich To Provide And Receive Payment For Stop Loss Coverage And Premiums For The City's Benefit Plan In An Amount Not To Exceed \$105 Per Employee Per Month.
- \*20.** Consider A Resolution Acknowledging Receipt Of The Annual Comprehensive Financial Report For The Fiscal Year Ending September 30, 2022.



- \*21.** Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Agreement With Dallas Area Rapid Transit Regarding The Allocation Of Funds For Public Transportation System Or Complementary Transportation Services.
- \*22.** Consider A Resolution Appointing A Member To The Planning And Zoning Commission And Naming A Chair.
- \*23.** Consider A Resolution Authorizing The City Manager To Enter Into An Agreement With Twin City Security, Inc Through An Interlocal Agreement With Jefferson County Colorado For Court Security Services In An Annual Amount Of \$64,087.86 For Three Years In A Total Amount Not To Exceed \$192,203.57.

#### **PUBLIC HEARING - INDIVIDUAL CONSIDERATION**

- 24.** Hold A Public Hearing And Consider An Ordinance Amending The Text Of Various Articles Of The Comprehensive Zoning Ordinance To Amend Article V 'Use Of Land And Structures' To Revise The Land Use Matrix To Modify The Term "Bed And Breakfast Inn" To "Short-Term Rental"; To Allow "Short-Term Rental" In All (SF) Single-Family Detached Residential Districts, All (SF) Single-Family Attached Residential Districts And (D) Duplex Residential District; To Modify The Term "Bed And Breakfast Home" To "Bed And Breakfast"; To Allow "Bed And Breakfast" In The (D) Duplex Residential District And To Prohibit "Bed And Breakfast" In All Multi-Family Residential Districts; To Amend Article XXI 'Special Use Permits', Section D, 'Special Conditions', 2(F) Hotel And Transient Lodging; And To Amend Article XXXIV 'Definitions' To Add Definitions For "Bed And Breakfast," "Booking Service," And "Short-Term Rental." Case No. PLZT 2022-187 CZO Text Amendment Short-Term Rental.

**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.

**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 3rd day of February 2023 at 12:00pm.*

*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 972-466-3003. 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: 6049

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**Agenda Date:**

**Version:** 1

**Status:** Work Session

**In Control:** City Council

**File Type:** Work Session Item

**Agenda Number:** 4.

**CC MEETING:** February 7, 2023

**DATE:** January 26, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Diana Vaughn, Chief Financial Officer

Present **An Overview Of The Annual Financial Comprehensive Report For Fiscal Year Ending September 30, 2022.**





# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 5231

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**Agenda Date:**

**Version:** 1

**Status:** Work Session

**In Control:** City Council

**File Type:** Work Session Item

**Agenda Number:** 5.

**Mayor And Council Reports And Information Sharing.**





# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6058

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**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Presentations

**In Control:** City Council

**File Type:** Presentation

**Agenda Number:** 6.

**CC MEETING:** February 7, 2023

**DATE:** February 1, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Chloe Sawatzky, City Secretary

Presentation **Honoring Commissioner Ron Marchant For His Service To Carrollton And Denton County.**







## Agenda Memo

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**Agenda Date:**

**Version:** 1

**Status:** Public Forum

**In Control:** City Council

**File Type:** Public Forum

**Agenda Number:** 7.

**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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# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6042

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Bid/Purchases

**Agenda Number:** \*8.

**CC MEETING:** February 7, 2023

**DATE:** January 23, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Michael Thomson, Fire Chief  
Marc Guy, Assistant City Manager

Consider **Approval Of The Purchase Of One (1) Stryker Power-LOAD System And One (1) Stryker Power Pro 2 Patient Cot Along With Associated Installation Equipment Through The Stryker Medical Corporation As A Sole Source Provider In An Amount To Not Exceed \$66,000.00.**

### **BACKGROUND:**

This agenda item is for the purchase of one Stryker Power-LOAD system, one Stryker Power Pro Cot and associated installation equipment. This purchase is to replace existing Stryker patient loading and transport equipment that has reached the end of its useful life. This purchase is being made using a sole source provider, Stryker Medical Corporation. The Fire Department has a sole source letter on file.

### **FINANCIAL IMPLICATIONS:**

The Stryker Power-LOAD system and Stryker Power Pro Cot and associated installation equipment will be purchased from funds in the Fire Department's Fiscal Year 2023 budget.

### **IMPACT ON COMMUNITY SUSTAINABILITY:**

Carrollton Fire Rescue paramedics use this hydraulic cot and loading system when caring for every patient that is transported to the hospital. This system enhances the safety of personnel and patients by supporting the patient's weight during the transport, loading, and unloading of the ambulance. This system decreases the spinal loading on CFR Paramedics and helps prevent cumulative back injuries.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends City Council approval of the purchase of one Stryker Power-LOAD system, one Stryker Power Pro Cot and associated installation equipment from Stryker Medical Corporation, as a sole source provider, in an amount not to exceed \$66,000.00.





# City of Carrollton

1945 E. Jackson Rd  
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## Agenda Memo

File Number: 6053

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Bid/Purchases

**Agenda Number:** \*9.

**CC MEETING:** February 7, 2023

**DATE:** January 25, 2023

**TO:** Erin Rinehart, City Manager

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

Consider **Approval Of A Synthetic Turf Surface For Various Playgrounds By AstroTurf Through An Inter-Local Agreement With OMNIA Partners In An Amount Not To Exceed \$190,313.89.**

### BACKGROUND:

Ward Steenson Playground and Martha Pointer Playground currently have an engineered wood fiber surface which requires regular maintenance and upkeep. McInnish #12-15 Playground has a poured in place surface which has cracks, holes and large gaps around the perimeter. We have had great success replacing existing surfaces with synthetic turf at other playgrounds throughout the city and feel these playgrounds would benefit from a new surface.

These three projects include removal and disposal of existing surfaces, drainage installation, base material, the synthetic turf, infill and a lifetime warranty on the turf. A **10%** contingency has been included in the budget.

### FINANCIAL IMPLICATIONS:

AstroTurf is a reputable company that provides a quality product and has completed projects for the City of Carrollton in the past. The synthetic turf will be funded out of the following account:

ACCTG UNIT	ACCOUNT	BUDGET AMOUNT
854360	Parks Strategic Amenity Fund	\$190,313.89

### IMPACT ON COMMUNITY SUSTAINABILITY:

This project supports and aligns with Council goals and objectives through the fiduciary care and maintenance of our infrastructure.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval of the synthetic turf for various playgrounds by AstroTurf in an amount not to exceed \$190,313.89 using the City's existing agreement with OMNIA Partners.



# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6057

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Bid/Purchases

**Agenda Number:** \*10.

**CC MEETING: February 7, 2023**

**DATE:** January 31, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Jonathan Scheu, Library Director  
Chrystal Davis, Assistant City Manager

**Consider Approval To Purchase Digital Materials From Sole Source Vendor Bibliotheca In An Amount Not To Exceed \$115,500.**

### **BACKGROUND:**

Bibliotheca, Inc. is the sole source provider of eBooks and eAudiobooks that may be made available through the Bibliotheca CloudLibrary lending platform. In FY2022, Carrollton Public Library cardholders checked out 107,751 digital items via CloudLibrary, accounting for nearly 29% of total library circulation.

The cost to provide this service has increased in recent years. FY2022 saw an average price increase of 10% over FY2021 and 14% over FY2020. In order to continue making this popular service available to customers, the Library will need to increase digital material spending in FY2023 by 10%, in an amount not to exceed \$115,500.

### **FINANCIAL IMPLICATIONS:**

This purchase will come from budgeted funds for the cost center and amount as listed below.

<u><b>COST CENTER</b></u>	<u><b>LINE ITEM</b></u>	<u><b>BUDGET AMOUNTS</b></u>
321001	61305	\$115,500.00

### **IMPACT ON COMMUNITY SUSTAINABILITY:**

Digital materials continue to be a growing line of business for the Library. Continued availability of e-content and the ability to provide up-to-date materials contributes to the quality of our community and provides expected services that enhance the quality of life for our customers. Improving access to digital content also furthers Council's goal of improving accessibility to the services we provide.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval to purchase digital materials from sole source provider Bibliotheca in an amount not to exceed \$115,500 during Fiscal Year 2023.



January 30, 2023

Jonathan Scheu  
Library Director  
Carrollton Public Library  
4220 N. Josey Lane  
Carrollton, Texas 75010

**RE: Bibliotheca Sole Source Letter**

Dear Mr. Scheu:

This sole source letter is to confirm that Bibliotheca provides certain products that are unique to the library market, and as such, can only be acquired through Bibliotheca; namely the mobile™ DLA, flex™ bookDrop, cloudLibrary™ checkout, selfCheck™ 500, and libraryConnect™ devices, which are designed and manufactured exclusively by Bibliotheca.

Bibliotheca is the developer and sole provider of Carrollton Public Library's current cloudLibrary™ content platform and its unique capability to interface with Bibliotheca's selfCheck™ 500. cloudLibrary™ allows CPL patrons to check out and put on hold digital content at the physical library self-checkout kiosk. This is only available on Bibliotheca selfCheck™ kiosks.

We look forward to continuing to support the Carrollton Public Library for all its current and future technology goals.

Sincerely,



Mary K Zilles, VP of Business Development & Sales Administration  
m.zilles@bibliotheca.com | 678-336-7980 X 310  
3169 Holcomb Bridge Road, Suite 200  
Norcross, GA 30071





# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6060

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Bid/Purchases

**Agenda Number:** \*11.

**CC MEETING: February 7, 2023**

**DATE:** February 1, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Dwayne Bianco, Director of Fleet and Facilities  
Marc Guy, Assistant City Manager

**Consider Approval Of Changing The Vendor For The Purchase Of Four (4) Frazer LTD Ambulances To Rush Truck Centers Through An Interlocal Agreement With BuyBoard In An Amount Not To Exceed \$1,198,184.50.**

### BACKGROUND:

Fleet Services is recommending changing the vendor for the purchase of four Frazer ambulances assigned to the Fire Department from Mac Haik Dodge to Rush Truck Centers. The recommended purchases have previously been approved by the City Council and no additional funding is required.

Staff has recommended a change in the body chassis from Dodge to International. This change requires the purchase for the Frazer ambulances to be processed through Rush Truck Centers. Staff is recommending this change to maintain transparency in the purchasing process.

### QUOTES:

Fire Department

Frazer Ambulance Purchase (3) approved 2/8/22	\$826,941.50
Frazer Ambulance Purchase (1) approved 1/10/23	\$326,243.00
Change order for (3) Ambulances approved 1/24/23	<u>\$ 45,000.00</u>
Total for Ambulance purchases	\$1,198,184.50

### FINANCIAL IMPLICATIONS:

These vehicles will be purchased using budgeted funds in the Vehicle Replacement Fund and Fire Operational Budget. BuyBoard provides the City with an annual rebate and is the best value for this purchase. These funds have already been approved by City Council.

### IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as these ensures that City employees have the resources necessary to do their job.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends City Council approval to change the vendor for the purchase of four Frazer ambulances from Mac Haik Dodge to Rush Truck Centers through an interlocal purchasing agreement with BuyBoard in an amount not to exceed \$1,198,184.50.



## Agenda Memo

File Number: 6061

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Bid/Purchases

**Agenda Number:** \*12.

**CC MEETING:** February 7, 2023

**DATE:** January 26, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Chris Chiancone, Chief Information Officer  
Chrystal Davis, Assistant City Manager

Consider **Authorizing The City Manager To Purchase IT Products And Services From Freeit Data Solutions Through A Cooperative Purchasing Program With Texas DIR In An Amount Not To Exceed \$150,000.00.**

### BACKGROUND:

The City purchases various IT products and services in amounts ranging from a few hundred dollars to several tens of thousands of dollars for maintenance renewals from various DIR resellers. In an effort to get the best pricing, the IT department competitively shops between different cooperative contract resellers such as CDWG, SHI, and others to find the lowest price for items. Freeit Data Solutions has been one of the resellers to provide low prices to the City and we would like to be able to leverage them in this price shopping process for orders that do not reach the council approval limit of \$50,000 in a single purchase, but that may, over various separate purchases for unrelated items, surpass the amount for a single vendor as we do with other vendors.

One upcoming larger purchase that Freeit Data Solutions will be used for is the renewal of technologies for networking backup, and security

### FINANCIAL IMPLICATIONS:

This authorization of \$150,000.00 will be charged to the following account:

ACCTG UNIT	ACCOUNT	BUDGET AMOUNT
151001	68710	\$150,000.00

### IMPACT ON COMMUNITY SUSTAINABILITY:

The purchase of equipment and services is critical to sustaining City technology services without disruption.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends City Council authorize the City Manager to purchase equipment and services, from Freeit Data Solutions in an amount not to exceed \$150,000.00 using an existing agreement with DIR.



## Agenda Memo

File Number: 6047

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:**  
Contracts/Agreements

**Agenda Number:** \*13.

**CC MEETING: February 7, 2023**

**DATE:** January 26, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Jonathan Wheat, P.E., Director of Engineering  
Marc Guy, Assistant City Manager

Consider **Authorizing The City Manager To Execute Change Order No. 2 With 3D Paving And Contracting, LLC For Additional Work On Greenwood Road And Greenwood Circle, Scott Mill Road, Brentwood Lane And Wedgewood Lane As Part Of The Northcrest Estates Street Reconstruction Section 2 NOTICE Project, In An Amount Not To Exceed \$81,392.90, Increasing The Total Project Contract To An Amount Not To Exceed \$3,217,538.90.**

### **BACKGROUND:**

City Council awarded a contract on January 11, 2022, to 3D Paving and Contracting, LLC in the amount of \$3,102,165.00 for the Northcrest Estates Street Reconstruction, Section 2 NOTICE project. The project scope is to reconstruct five streets in the Northcrest Estates Subdivision, including Brentwood Lane, Knollwood Lane, Wedgewood Lane, Greenwood Road and Greenwood Circle. This project was approved by the voters in the 2018 bond election.

This change order will address the following items:

- An additional 1,271 square yards of 6-inch concrete pavement is needed to complete the Greenwood Road and Greenwood Circle reconstruction projects.
- An additional 90.3 square yards of 8-inch concrete pavement is required for street replacement on Scott Mill Road due to utility connections.
- Inlet steps need to be added at five inlet locations.
- Storm sewer pipes need to be repaired at 2022 and 2024 Brentwood Lane.
- A drainage issue needs to be resolved at 2018 Wedgewood Lane.

### **FINANCIAL IMPLICATIONS:**

3D Paving and Contracting, LLC submitted a proposal to the City to address the items in an

amount not to exceed \$81,392.90. The revised contract amount (including previous Change Order No. 1) will be \$3,217,538.90, a 3.72% increase from the original contract amount of \$3,102,165.00. Funding is available in the Streets Consolidated account.

**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:

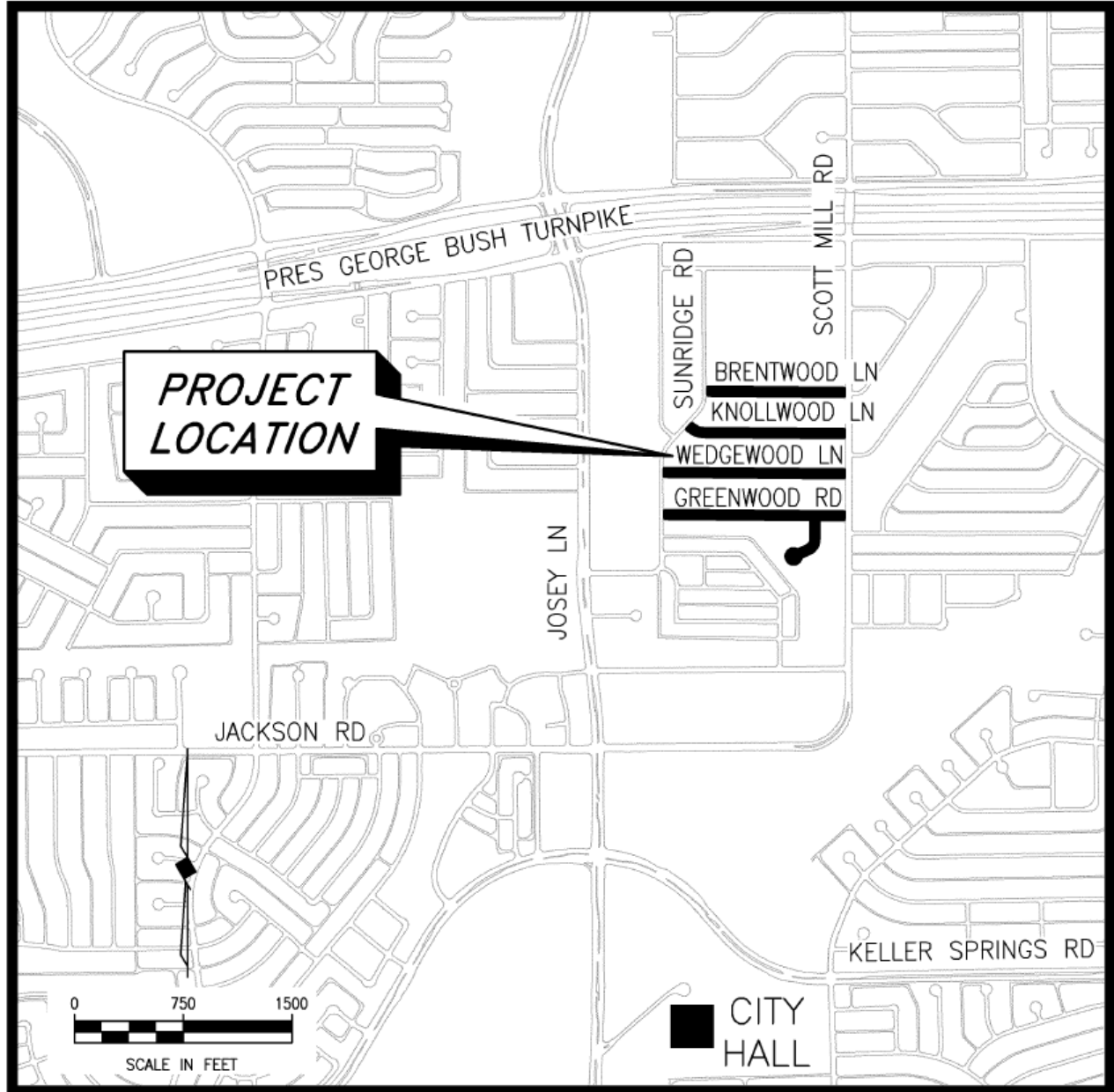
- Sustaining quality of life - Improvements in the subdivision should improve the appearance of the neighborhood and promote residents to provide better upkeep of their properties.
- Sustaining day-to-day operations - The replacement of substandard street pavement and sewer lines should reduce the need for non-scheduled or emergency repairs.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends City Council approval of a resolution authorizing the City Manager to execute Change Order No. 2 with 3D Paving and Contracting, LLC for the Northcrest Estates Street Reconstruction Section 2 NOTICE project in an amount not to exceed \$81,392.90.



## Location Map







# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6051

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**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** \*14.

**CC MEETING:** February 7, 2023

**DATE:** January 26, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Melissa Everett, Finance Director  
Chrystal Davis, Assistant City Manager

**Consider An Ordinance Amending The Capital Budgets For Fiscal Year October 1, 2022, Through September 30, 2023.**

### **BACKGROUND:**

The City of Carrollton and neighboring service area cities each contribute a portion of sales tax to Dallas Rapid Area Transit (DART) as a method of funding the organization. In early 2022, DART recognized it had an excess of revenue funds in the amount of \$214,250,000 and began discussions on how to utilize those funds.

On October 25, 2022, DART approved an additional \$19,674,000 towards the allocation, bringing the total to \$233,924,000. Additionally on this date, DART approved a distribution methodology for the funds, resulting in a \$12,697,000 appropriation for the City of Carrollton.

The City may only accept these funds after Council authorizes the City Manager to enter an Interlocal Cooperation Agreement (ILA) with DART, which is discussed in another agenda item.

Since these funds were not included in the Fiscal Year 2023 budget, Staff are requesting a budget amendment to authorize the expenditure of funds.

### **FINANCIAL IMPLICATIONS:**

This budget amendment will reflect the following changes:

- In the General and Public Safety Capital Budget, increase the sources of funds by \$12,697,000
- In the General and Public Safety Capital Budget, increase the uses of funds by \$12,697,000

**IMPACT ON COMMUNITY SUSTAINABILITY:**

This funding for the public transportation system or complementary transportation services will benefit the community and improve existing transportation services.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends adopting the attached Ordinance amending the City's Approved Annual Capital Budget to provide staff the authority to expend the funds received from DART.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF CARROLLTON, TEXAS FOR THE FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, FOR THE PURPOSE OF PROVIDING APPROPRIATIONS IN THE CAPITAL BUDGETS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Carrollton, Texas (“City”) is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

**WHEREAS**, the City Council of the City (“City Council”) passed and approved Ordinance Number 4098 dated September 13, 2022, adopting and approving an operating and capital budget for the City of Carrollton, Texas, authorizing appropriations for the fiscal year October 1, 2022, through September 30, 2023;

**WHEREAS**, the City Council passed and approved Ordinance 4110 dated November 15, 2022, adopting and approving an amendment to the operating and capital budgets for the City of Carrollton, Texas, authorizing appropriations for the fiscal year October 1, 2022 through September 30, 2023;

**WHEREAS**, the City Council passed and approved Ordinance 4113 dated December 6, 2022, adopting and approving an amendment to the operating and capital budgets for the City of Carrollton, Texas, authorizing appropriations for the fiscal year October 1, 2022 through September 30, 2023.

**WHEREAS**, state law authorizes a municipality to make changes in the municipal operating and capital budget due to unforeseen conditions and for municipal purposes; and

**WHEREAS**, the City Council finds that the proposed changes in the 2022-2023 budget are for municipal purposes and in the best interest of the citizens of the City of Carrollton;

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

**SECTION 1**

The above and foregoing premises are found to be true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2**

The City Council hereby adopts and approves an amendment to the Operating and Capital Budgets for the City of Carrollton, Texas for the fiscal year beginning October 1, 2022 through September 30, 2023, making the following changes.

- In the General and Public Safety Capital Budget, increase the Sources of funds by \$12,697,000
- In the General and Public Safety Capital Budget, increase the use of funds by \$12,697,000

**SECTION 3**

This Ordinance shall become effective on and after its adoption.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas, this  
7<sup>th</sup> day of February 2023

**CITY OF CARROLLTON, TEXAS**

By: \_\_\_\_\_  
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



# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6041

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*15.

**CC MEETING:** February 7, 2023

**DATE:** January 23, 2023

**TO:** Erin Rinehart, City Manager

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

Consider A **Resolution Accepting The Investment Officer's Quarterly Report For First Quarter Ended December 31, 2022.**

### BACKGROUND:

The City's Investment Policy and Chapter 2256, Government Code, the Public Funds Investment Act requires the Investment Officer to report to Council each quarter the investment transactions and strategy for the investment portfolio of the City. In compliance with this policy and fulfillment of Section 2256.023 Internal Management Reports of the "Public Funds Investment Act," the Investment Officer's Quarterly Report for first quarter ended December 31, 2022 is available on the city's website for approval at the council meeting at <http://www.cityofcarrollton.com/departments/departments-a-f/finance/treasury>. This report was presented to the City Council Audit, Finance and Governance Committee at their January 25, 2023 meeting for in-depth review and discussion.

### FINANCIAL IMPLICATIONS:

This report provides all information related to all securities investment transactions performed by the authorized investment officers for the first quarter ended December 31, 2022.

### STAFF RECOMMENDATION/ACTION DESIRED:

Consider a resolution accepting the Investment Officer's Quarterly Report for first quarter ended December 31, 2022.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, ACCEPTING THE INVESTMENT OFFICER'S QUARTERLY REPORT AND INVESTMENT STRATEGIES FOR FIRST QUARTER ENDED DECEMBER 31, 2022, AND APPROVING SAID REPORT AS FULFILLMENT OF CHAPTER 2256, GOVERNMENT CODE, THE PUBLIC FUNDS INVESTMENT ACT; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1**

The City of Carrollton hereby accepts the Investment Officer's Quarterly Report for First Quarter ended December 31, 2022 and approves said report and investment strategies as a fulfillment of Chapter 2256, Government Code, the Public Funds Investment Act.

**SECTION 2**

The City Manager is hereby 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.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this 7th day of February, 2023.

\_\_\_\_\_  
Steve Babick, Mayor

ATTEST:

\_\_\_\_\_  
Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Meredith A. Ladd, City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Diana K. Vaughn, CFO





# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6043

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*16.

**CC MEETING:** February 7, 2023

**DATE:** January 24, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Jonathan Wheat, P.E., Director of Engineering  
Marc Guy, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Teague, Nall, & Perkins, Inc. For Engineering Design Services Related To The Perry Road And Country Club Drive Street Reconstruction Projects In An Amount Not To Exceed \$86,600.00, For A Revised Contract Amount Not To Exceed \$847,900.00.**

### **BACKGROUND:**

The City hired Teague, Nall, & Perkins, Inc. to design the reconstruction of Perry Road from Walnut Avenue to Ryan Avenue and Country Club Drive from Josey Lane to Kelly Boulevard in an amount not to exceed \$761,300.00. The contract includes replacing approximately 8,100 linear feet of new concrete street pavement, 16,000 linear feet of curb and sidewalks, and 5,400 linear feet of water lines.

Since executing the design contract, City staff has recognized the need for streambank stabilization along the Perry Branch tributary and a storm sewer system for Country Club Drive. This contract amendment includes additional engineering services for all plans, specifications and construction documents necessary for the design of approximately 200 linear feet of 6-foot gabion wall along the Perry Branch tributary and 600 linear feet of storm sewer pipe for Country Club Drive.

### **FINANCIAL IMPLICATIONS:**

Teague, Nall, & Perkins, Inc. has submitted a proposal to the City to perform the additional engineering design services for the project in an amount not to exceed \$86,600.00. Funding is available in the Streets Consolidated Fund with 2018 bond funds.

### **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:

Sustaining day-to-day operations - The replacement of substandard infrastructure should reduce the need for non-scheduled or emergency repairs and will sustain street and pedestrian infrastructure.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends City Council approval of a resolution authorizing the City Manager to amend the existing engineering design services contract with Teague, Nall, & Perkins, Inc. to add the design of a gabion wall and a storm sewer system for the Perry Road and Country Club Drive Street Reconstruction projects in an amount not to exceed \$86,600.00.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT AMENDMENT NO. 1 WITH TEAGUE, NALL, & PERKINS, INC. FOR ENGINEERING DESIGN SERVICES RELATED TO THE PERRY ROAD AND COUNTRY CLUB DRIVE STREET RECONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED \$86,600.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$847,900.00; 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 a contract amendment No. 1 with Teague, Nall, & Perkins, Inc. for professional engineering services in an amount not to exceed \$86,600.00, for a revised contract amount not to exceed \$847,900.00.

**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 7<sup>th</sup> day of February 2023.**

**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, P.E.,  
Director of Engineering









# Perry Road

N

0225450900

Feet

This map should be used for planning purposes only.









# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6044

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*17.

**CC MEETING:** February 7, 2023

**DATE:** January 24, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Jonathan Wheat, P.E., Director of Engineering  
Marc Guy, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With O'Brien Engineering, Inc. For Engineering Design Services Related To The McInnish Park Concessions And Parking 2022 Project In An Amount Not To Exceed \$99,804.00.**

### **BACKGROUND:**

This contract will provide the construction plans for the complete reconstruction of one parking lot, demolition of three existing restrooms/concession stands, and the site work and foundations for two new pre-fabricated buildings and one shade structure. The two pre-fabricated buildings were approved for purchase at the November 1, 2022, City Council Meeting. The improvements to the restroom/concession buildings and parking lot were included in the 2018 bond election.

### **FINANCIAL IMPLICATIONS:**

O'Brien Engineering, Inc., has submitted a proposal to the City to perform the engineering design services for the project in an amount not to exceed \$99,804.00. Funding is available in the Parks 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:

Sustaining day-to-day operations - The replacement of the concession/restroom buildings and parking lot will improve public facilities for various sporting events in McInnish Park.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends City Council approval of a resolution authorizing the City Manager to enter into an engineering design services contract with O'Brien Engineering, Inc., for the preparation

of engineering plans for the McInnish Park Concessions and Parking 2022 project in an amount not to exceed \$99,804.00.



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH O'BRIEN ENGINEERING, INC. FOR ENGINEERING DESIGN SERVICES RELATED TO THE MCINNISH PARK CONCESSION AND PARKING 2022 PROJECT IN AN AMOUNT NOT TO EXCEED \$99,804.00; 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 services contracts O'Brien Engineering, Inc. for engineering services in an amount not to exceed \$99,804.00.

**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 7th day of February 2023.**

**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, P.E.,  
Director of Engineering

# Location Map







# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6045

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*18.

**CC MEETING: February 7, 2023**

**DATE:** February 1, 2023

**TO:** Erin Rinehart, City Manager

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

**Consider A Resolution Authorizing The City Manager To Renew A Lease Agreement With Buckeye Capital Investments, LLC For The Employee Health And Wellness Center.**

### **BACKGROUND:**

Since March 2013, the Employee Health & Wellness Center (EH&WC) has operated out of leased space located at 1735 Keller Springs Road. Currently, the city contracts with CareATC to provide full medical services at the EH&WC for all covered employees and dependents on the city's health plan.

The current lease agreement is set to expire in October 2023. Workforce Services would like to continue to utilize the current space for the EH&WC. In order to continue operating at 1735 Keller Springs Rd. a lease renewal is required. The renewal would go into effect October 1, 2023, and would extend through September 30, 2028 at the current lease rate. The monthly payment is scheduled to increase \$253 beginning June 1, 2026 through September 30, 2028.

### **FINANCIAL IMPLICATIONS:**

The City's Employee Health Trust funds the expenses for the Employee Health & Wellness Center. Beginning October 1, 2023 through May 31, 2026 the rental rate will not change from the current rate which costs \$4,066.67 per month. Effective June 1, 2026 through September 30, 2028 the rental rate will increase to \$4,320 per month. This rate does not include additional expenses for common area maintenance (CAMS) which currently totals \$2,085 per month. This rate is subject to increase as taxes and insurance may increase for the property owner.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends adoption of the attached resolution authorizing the City Manager to renew a lease with Buckeye Capital Investments, LLC for the Employee Health & Wellness Center space at 1735 Keller Springs Rd. with the effective rate of \$412,700 over the full term of the

lease including contingency.

**ATTACHMENTS:**

Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO TAKE ALL NECESSARY ACTION TO RENEW A LEASE WITH BUCKEYE CAPITAL INVESTMENTS, LLC FOR THE EMPLOYEE HEALTH AND WELLNESS CENTER; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1**

The City Manager, or her designee, is hereby authorized to renew a lease with Buckeye Capital Investments, LLC for the Employee Health & Wellness Center in an amount not to exceed \$81,202 annually beginning October 1, 2023 through May 31, 2026 and \$84,546 annually beginning on June 1, 2026 through September 30, 2028 for a total lease amount not to exceed \$412,700 including contingency.

**SECTION 2**

The City Manager, or her designee, is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution and to take other action as necessary to effectuate the intent and purpose of this Resolution.

**SECTION 3**

This Resolution shall take effect on October 1, 2023.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas, this 7th day of February, 2023.

\_\_\_\_\_  
Steve Babick, Mayor

**ATTEST:**

\_\_\_\_\_  
Chloe Sawatzky, City Secretary

**APPROVED AS TO FORM:**

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Meredith A. Ladd, City Attorney

**APPROVED AS TO CONTENT:**

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Samantha Dean, Director,  
Workforce Services



# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6046

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*19.

**CC MEETING:** February 7, 2023

**DATE:** February 1, 2023

**TO:** Erin Rinehart, City Manager

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

**Consider A Resolution Authorizing The City Manager To Execute A Contract With SA Benefits Services, Medical Risk Managers and Zurich To Provide And Receive Payment For Stop Loss Coverage And Premiums For The City's Benefit Plan In An Amount Not To Exceed \$105 Per Employee Per Month.**

### **BACKGROUND:**

In November 2022, Council approved SA Benefits - Zurich as the stop loss provider for the employee health plan beginning January 1, 2023. A clarification needs to be made that while SA Benefits Services will continue to operate as the General Agent for the stop loss coverage which includes placement of stop loss, monthly reporting and claim filing on the management of the city's stop loss policy, Medical Risk Managers (MRM) is the managing general underwriter, who underwrites, issues policy documents, adjudicates the stop loss claims, takes part risk, and receives the premiums on behalf of Zurich. Zurich is the stop loss carrier which the stop loss policy is written on and takes partial risk.

There are no other changes to Resolution 4668 approved on November 15, 2022.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends adoption of the attached resolution authorizing the City Manager to sign an agreement with SA Benefits, MRM and Zurich to provide and receive payment for stop loss coverage for the City's health plan.

### **ATTACHMENTS:**

Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO TAKE ALL NECESSARY ACTION TO ENTER INTO AN AGREEMENT WITH SA BENEFITS SERVICES, MEDICAL RISK MANAGERS AND ZURICH TO PROVIDE AND RECEIVE PAYMENT FOR STOP LOSS INSURANCE AND PREMIUMS, SPECIFIC AND AGGREGATE COVERAGE; AUTHORIZING PAYMENTS AT THE RATES SPECIFIED HEREIN; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1**

The City Manager, or her designee, is hereby authorized to sign an agreement with SA Benefits Services, Medical Risk Managers (MRM) and Zurich to provide and receive payment for stop loss insurance coverage in an amount not to exceed \$105 per employee per month. The funds for these services are paid from the employee health trust funded through employee and employer contributions.

**SECTION 2**

The City Manager, or her designee, is authorized to take those steps reasonable and necessary to comply with the intent of this resolution and to take other action as necessary to effectuate the intent and purpose of this resolution.

**SECTION 3**

This Resolution shall take effect on February 8, 2023.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas, this 7th day of February, 2023.

\_\_\_\_\_  
Steve Babick, Mayor

**ATTEST:**

\_\_\_\_\_  
Chloe Sawatzky, City Secretary



**APPROVED AS TO FORM:**

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Meredith A. Ladd, City Attorney

**APPROVED AS TO CONTENT:**

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Samantha Dean, Director,  
Workforce Services





# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6048

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**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*20.

**CC MEETING:** February 7, 2023

**DATE:** January 26, 2023

**TO:** Erin Rinehart, City Manager

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

Consider A **Resolution Acknowledging Receipt Of The Annual Comprehensive Financial Report For The Fiscal Year Ending September 30, 2022.**

### **BACKGROUND:**

The Annual Comprehensive Financial Report (ACFR) for fiscal year ended September 30, 2022, has been completed and distributed to City Council members. The Audit/Finance Committee met directly with FORVIS, LLP management representatives on January 25, 2023, to discuss the results of the audit. The ACFR was electronically distributed to City Council on January 26, 2023. The Independent Auditor's Report can be found on pages 1-3 of the ACFR.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Pass a resolution acknowledging receipt of this report.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS  
ACKNOWLEDGING RECEIPT OF THE ANNUAL COMPREHENSIVE FINANCIAL  
REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2022; AND PROVIDING  
AN EFFECTIVE DATE.**

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

**SECTION 1**

The City Council of the City of Carrollton hereby acknowledges receipt of the Annual Comprehensive Financial Report for fiscal year ended September 30, 2022.

**SECTION 2**

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

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas,  
this 7<sup>th</sup> day of February 2023.

**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



# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6050

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*21.

**CC MEETING: February 7, 2023**

**DATE:** January 26, 2023

**TO:** Erin Rinehart, City Manager

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

**Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Agreement With Dallas Area Rapid Transit Regarding The Allocation Of Funds For Public Transportation System Or Complementary Transportation Services.**

### **BACKGROUND:**

The City of Carrollton and neighboring service area cities each contribute a portion of sales tax to Dallas Rapid Area Transit (DART) as a method of funding the organization. In early 2022, DART recognized it had an excess of revenue and began discussions on how to utilize those funds.

On August 23, 2022, DART approved the inclusion of excess funds, totaling \$214,250,000, into its Fiscal 2023 Budget with the intent of allocating the funds back to service area cities.

On October 25, 2022, DART approved an additional \$19,674,000 towards the allocation, bringing the total to \$233,924,000. Additionally, DART approved a distribution methodology for the funds, resulting in a \$12,697,000 appropriation for the City of Carrollton.

To receive these funds, service cities must enter into an Interlocal Cooperation Agreement (ILA) with DART. Staff are requesting authorization of the City Manager to enter the ILA with DART.

Current features in the ILA include:

- The requirement that funds are spent on projects that benefit DART's public transportation system or provide complementary transportation services.
- Approval of projects by DART and timelines for project completion, and
- Methods for submitting reimbursement requests.

**FINANCIAL IMPLICATIONS:**

The City will receive \$12,697,000 to be spent on DART's public transportation system or provide complementary transportation services including parking garages.

**IMPACT ON COMMUNITY SUSTAINABILITY:**

Provide funding for transportation services benefiting the community and improving existing transportation services.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval of the attached resolution authorizing the City Manager to enter into an ILA with DART for the public transportation system or complementary transportation services.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER AN INTERLOCAL COOPERATION AGREEMENT WITH DALLAS AREA RAPID TRANSIT REGARDING THE ALLOCATION OF FUNDS FOR PUBLIC TRANSPORTATION IMPROVEMENT; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1**

The City Manager is hereby authorized to enter an Interlocal Cooperation Act agreement with Dallas Area Rapid Transit to receive \$12,697,000 and use such funds to complete projects that will benefit Dallas Area Rapid Transit's Public Transportation System or provide Complementary Transportation Services, as defined in the agreement.

**SECTION 2**

The City Manager is authorized to take those actions reasonable and necessary to comply with the intent of this Resolution.

**SECTION 3**

This Resolution shall become effective immediately from and after its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas, this 7<sup>th</sup> day of February 2023

**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

\_\_\_\_\_  
Melissa Everett, Finance Director







# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6054

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**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*22.

**CC MEETING:** February 7, 2023

**DATE:** January 30, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Chloe Sawatzky, City Secretary

Consider A **Resolution Appointing A Member To The Planning And Zoning Commission And Naming A Chair.**

### **BACKGROUND:**

Jason Carpenter filed to run for City Council and stepped down from the Planning & Zoning Commission effective January 24, 2023. Staff has prepared a Resolution appointing Alan Overholt, currently serving as alternate, as a full member and naming Scott Windrow, currently serving as Vice Chair, Chair of the Planning & Zoning Commission.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff requests this Resolution be passed appointing Alan Overholt as a full member to the Planning & Zoning Commission and naming Scott Windrow as Chair.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARROLLTON, TEXAS,  
APPOINTING MEMBERS TO SERVE ON THE PLANNING AND ZONING  
COMMISSIONS; 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 Planning and Zoning Commission at the pleasure of the City Council for the term specified or from the date of their qualification to serve until their successors are appointed and qualified to serve.

Alan Overholt

October 2024

**SECTION 2**

The following is appointed to serve as the chairperson of the Planning and Zoning Commission at the pleasure of the City Council.

Scott Windrow

**SECTION 3**

This resolution shall take effect on the 7<sup>th</sup> day of February, 2023.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this 7<sup>th</sup> day of February 2023.

**CITY OF CARROLLTON, TEXAS**

\_\_\_\_\_  
Steve Babick, Mayor

**ATTEST:**

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Chloe Sawatzky, City Secretary

**APPROVED AS TO FORM:**

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Meredith A. Ladd, City Attorney





# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6059

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*23.

**CC MEETING:** February 7, 2023

**DATE:** February 1, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Laurie Wilson, Administrative Services Director  
Chrystal Davis, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Enter Into An Agreement With Twin City Security, Inc Through An Interlocal Agreement With Jefferson County Colorado For Court Security Services In An Annual Amount Of \$64,087.86 For Three Years In A Total Amount Not To Exceed \$192,203.57.**

### **BACKGROUND:**

Since 2017, the City of Carrollton contracted with Twin City Security, Inc., to provide an armed security guard in the municipal court lobby during business hours. For the duration of the previous contract, staff have been exceedingly satisfied with the service, support, and communication provided by Twin City Security, Inc.

Jefferson County Colorado recently re-bid armed security guard services and the winning bidder was Twin City Security, Inc. Jefferson County has entered into a contract with a one-year term with the option of four one-year annual renewals. Through a cooperative agreement, Carrollton will utilize the bid for the remaining three renewals of the contract term, as allowed by bid law. The average annual cost is \$64,087.86 with a total contract spend over 3 years not to exceed \$192,203.57.

### **FINANCIAL IMPLICATIONS:**

The service on this agreement will be purchased from budgeted funds for the cost center and amount as listed below.

<u>COST CENTER</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
FUND ACCOUNT	147801 - 61190	\$64,087.86

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Approval of the attached Resolution.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TWIN CITY SECURITY, INC. FOR SECURITY GUARD SERVICES BASED ON INTERLOCAL AGREEMENT WITH JEFFERSON COUNTY COLORADO; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1**

The City Manager is authorized to enter into a three-year agreement with Twin City Security, Inc. based on interlocal agreement with the Jefferson County Colorado for Security Guard Services in an amount not to exceed \$64,067.86 for the first year. The annual recurring expenses shall not exceed \$64,067.86 for the second, and third year, for a total not to exceed agreement amount of \$192,203.57.

**SECTION 2**

The City Manager 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.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this seventh day of February, 2023.

\_\_\_\_\_  
Steve Babick, Mayor

**ATTEST:**

\_\_\_\_\_  
Chloe Sawatzky, City Secretary

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Meredith A. Ladd, City Attorney

\_\_\_\_\_  
Chrystal Davis, Assistant City Manager



# City of Carrollton

1945 E. Jackson Rd  
Carrollton TX 75006

## Agenda Memo

File Number: 6040

**Agenda Date:** 2/7/2023

**Version:** 1

**Status:** Public  
Hearing/Individual  
Consideration

**In Control:** City Council

**File Type:** Public Hearing

**Agenda Number:** 24.

**CC MEETING:** February 7, 2023

**DATE:** January 20, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Planning Manager  
Marc Guy, Assistant City Manager

Hold A Public Hearing And Consider An Ordinance Amending The Text Of Various Articles Of The Comprehensive Zoning Ordinance To Amend Article V ‘Use Of Land And Structures’ To Revise The Land Use Matrix To Modify The Term “Bed And Breakfast Inn” To “Short-Term Rental”; To Allow “Short-Term Rental” In All (SF) Single-Family Detached Residential Districts, All (SF) Single-Family Attached Residential Districts And (D) Duplex Residential District; To Modify The Term “Bed And Breakfast Home” To “Bed And Breakfast”; To Allow “Bed And Breakfast” In The (D) Duplex Residential District And To Prohibit “Bed And Breakfast” In All Multi-Family Residential Districts; To Amend Article XXI ‘Special Use Permits’, Section D, ‘Special Conditions’, 2(F) Hotel And Transient Lodging; And To Amend Article XXXIV ‘Definitions’ To Add Definitions For “Bed And Breakfast,” “Booking Service,” And “Short-Term Rental.” Case No. PLZT 2022-187 CZO Text Amendment Short-Term Rental.

### BACKGROUND:

This is a City-initiated request for approval to amend the Comprehensive Zoning Ordinance pertaining to “Short-Term Rental” and “Bed and Breakfast” uses.

On December 6, 2022, City Council amended the Carrollton Code of Ordinances pertaining to short-term rental and bed and breakfast properties.

### STAFF RECOMMENDATION/ACTION DESIRED:

On January 5, 2023, the Planning and Zoning Commission recommended **APPROVAL** of the proposed amendment. The attached ordinance reflects the Commission’s recommendation.

Staff recommends approval and adoption of the ordinance.

**RESULTS SHEET****Date: 02/07/23****Case No./Name: PLZT 2022-187 CZO Text Amendment – Short-Term Rental****A. STIPULATIONS AND RECOMMENDATIONS**

Staff recommends **APPROVAL** as submitted. The following CZO Articles V, XXI, and XXXIV, are proposed for amendments; text deletions are **red and struck-out** and text additions are **red and underlined**:

**I. Article V. Use of Land and Structures (Use Table), Primary Uses, 3. Hotels and Transient Lodgings, amended in its entirety and shall hereafter read as follows:**

Use Code	Type of Use	(LH)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(D)	(ALL MF DISTRICTS)	(MHP)	(O-1, O-2)	(O-3)	(O-4)	(LR-1)	(LR-2)	(CO)	(LC)	(HC)	(C/W)	(FWY)	(LI)	(HI)	DOWNTOWN TRANSIT CENTER				Trinity Mills TC	Frankford TC
																				Historic Square	Urban Core	Urban General	Urban Fringe		

• - Permitted Use  
[ ] - Prohibited Use  
\* - Refer to Article XXXIV for definition

S - Special Use Permit Required  
TSP - Technical Site Plan Required  
SDP - Special Development Plan

A - Permitted as an Accessory Use  
T - Permitted as a Temporary Use

Im - Permitted on Interim Basis Only  
\_C - Conditional Use (See Art. XX.1)

**3. HOTELS AND TRANSIENT LODGINGS**

72111	Hotel, Full Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *												S	XC	S	S	S	S	S	S	•	•	•		SDP	S
72111	Hotel, Residence or Hotel Suites (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *												S	XC	S	S	S		S	S						
72111	Hotel, Limited Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *												S	XC	S	S	S		S	S	•	•	•		SDP	S
721191	<u>Short-Term Rental Bed and Breakfast Inn</u>		<u>S</u>	<u>S</u>	<u>S</u>			S	S	S	S	S									•		•	S		
721191	<u>Bed and Breakfast Home</u>		S	S	<u>S</u>	<u>S</u>																				
7212	Recreational Vehicle Parks & Recreational Camps						•							S	S	S		S	S							
7213	Rooming & Boarding Houses					S																				

**II. Article XXI. Special Use Permits, Section D, Special Conditions, 2(f) Hotel and Transient Lodging, shall be amended as follows:**

**Section D. Special Conditions**



2. The following shall be considered as minimum requirements to be met relative to a Special Use Permit for such specific uses. These requirements are not intended to repeal any other Section of this Article or Ordinance but shall be cumulative and additional to any other requirements of this Article and Ordinance.

f. HOTEL AND TRANSIENT LODGING

The following standards and criteria contained within this subsection are minimum required standards and shall apply to all lodging that is classified under ~~the 0300 Hotel and Transient Lodging category Article V, Hotels and Transient Lodgings. These provisions shall be effective December 1, 2008.~~

i. Short-Term Rental and Bed and Breakfast ~~Home/Bed and Breakfast Inn~~

- a) Short-Term Rental/Bed and Breakfast use must be evidenced by association with a ~~Bed and Breakfast Accommodation and Reservation 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) Rate:

A daily rate shall be charged, and no weekly or bi-weekly rates may be charged.

c) Accommodations/Operations:

- ~~1. A minimum of three and a maximum of six guest rooms are permitted.~~

No kitchens are allowed in rooms, i.e., no ovens, burners, or full-sized refrigerators. Microwave and/or under-counter refrigerators are permissible.

- ~~2. Leasing of a common area for social events is prohibited except when off-street parking is provided for a meeting/reception area per Article XXIV. Off-Street Parking and Loading Regulations of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance and all other applicable ordinances and regulations.~~

- ~~3. A manager shall be on-site of a Bed and Breakfast Home and Bed and Breakfast Inn at all times when occupied by guests.~~

d) Site Design:

1. No vending machines are allowed outdoors.
2. No commercial trash dumpsters are allowed for a Short-Term Rental or Bed and Breakfast ~~Home~~.

e) ~~Building Elements (Bed and Breakfast Inns only):~~

- ~~1. A minimum of four elements from the following list shall be incorporated for all Bed and Breakfast Inn buildings:~~
  - ~~a. Awnings~~
  - ~~b. Canopies~~
  - ~~c. Ornamental cornices~~
  - ~~d. Alcoves~~
  - ~~e. Recessed Entries~~
  - ~~f. Pillar Posts~~
  - ~~g. Decorative lighting~~
  - ~~h. Other building elements that contribute to the human scale of a building or character of the architectural design of the building~~
- ~~2. All facades or sides of Bed and Breakfast Inn buildings shall be designed with architectural style and building materials consistent with the front façade.~~

~~f)e)~~ **Parking:**

~~Parking at a Short-Term Rental or Bed and Breakfast must comply with Title IX, Chapter 97 of Carrollton Code of Ordinances relating to Parking Restrictions at a Short-Term Rental or Bed and Breakfast.~~

- ~~1. One off-street parking space per guest room and one off-street parking space per owner/proprietor shall be required.~~
- ~~2. All overnight parking shall be designated parking spaces.~~
- ~~3. Other than driveways and sidewalks, the front yard (the property from the front of the building to the street) shall not be paved.~~
- ~~4. All parking areas on the property (except driveways) shall be behind any building lines.~~
- ~~5. Tandem parking is permitted.~~
- ~~6. Stacked parking is permitted in driveways for a maximum of four vehicles.~~

~~g)~~ **Landscaping:**

~~Landscaping should contribute to the overall tranquility and serene setting of the establishment providing temporary accommodations for guests in a residential setting. Benches, plantings, fountains and other private outdoor seating areas should be encouraged and some of these elements shall be incorporated into the site plan.~~

- ~~h)f)~~ **Signage:** ~~is limited to six square feet, either free-standing or attached to a building or mailbox, nonilluminated, and shall display only the~~

~~name and phone number of the Bed and Breakfast Home or Bed and Breakfast Inn on it.~~

No ~~additional~~ outdoor advertising or signage is allowed.

i)g) All minimum City requirements for Landscaping and Buffering, Off-Street Parking and Loading, Signs, and all other applicable ordinances, and as amended, shall be met, except where provided herein.

j)h) Owner must secure a Lodging License ~~and obtain a Certificate of Occupancy~~ before operating a ~~Bed and Breakfast Home or a Bed and Breakfast Inn~~ Short-Term Rental or Bed and Breakfast. Owner must comply with Chapter 97 of the Carrollton Code of Ordinances and maintain the Lodging License ~~and Certificate of Occupancy~~ in order to operate.

**III. Article XXXIV. Definitions, Section B. Terms and Definitions, shall be amended to repeal the definitions for “Bed and Breakfast Home” and “Bed and Breakfast Inn” and establish the following definitions in their place, including adding a definition for Short-Term Rental:**

**BED AND BREAKFAST:** A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days and which is permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

**BOOKING SERVICE:** Is any reservation and/or payment service provided by a person or entity that facilitates a hotel, short-term rental, or bed and breakfast transaction between the Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the hotel, short-term rental or bed and breakfast transaction.

**SHORT-TERM RENTAL:** A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days that is not permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

**B. P&Z ACTION** from P&Z meeting: 01/05/23  
Result: **APPROVED** /Vote: 8-0 (Taylor absent)

**C. CC PUBLIC HEARING / ORDINANCE ACTION** from CC meeting: 02/07/23  
Result: /Vote:

## ZONING TEXT AMENDMENT – SHORT-TERM RENTAL

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### GENERAL PROJECT INFORMATION

**REQUEST:** This is a city-initiated request for approval to amend the Comprehensive Zoning Ordinance (CZO) pertaining to the uses “Short-Term Rental” and “Bed and Breakfast.”

**APPLICANT:** City of Carrollton

**SUMMARY:** The purpose of the proposed revisions is to better regulate short-term rentals in Carrollton with zoning. On December 6, 2022, the City Council approved an amendment to Carrollton’s Code of Ordinances to better address short-term rentals and staff is proposing an amendment to the CZO to provide greater clarity and precision to the document in the Code of Ordinances for residents and developers.

Carrollton’s Code of Ordinances is a municipal code consisting of local laws, such as ordinances, bylaws, measures, and municipal codes. The CZO is a small part of the Code of Ordinances and should address short-term rentals as well. Prior to Council’s action on amending the Code of Ordinances, short-term rentals were considered the same as a bed and breakfast use.

The following CZO Articles V, XXI, and XXXIV, are proposed for amendment; text deletions are ~~red and struck-out~~ and text additions are red and underlined:

**I. Article V. Use of Land and Structures (Use Table), Primary Uses, 3. Hotels and Transient Lodgings, amended in its entirety and shall hereafter read as follows:**

Use Code	Type of Use	(IH)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(D)	(ALL MF DISTRICTS)	(MHP)	(O-1, O-2)	(O-3)	(O-4)	(LR-1)	(LR-2)	(CC)	(LC)	(HC)	(C/W)	(FWY)	(LI)	(HI)	DOWNTOWN TRANSIT CENTER				Trinity Mills TC	Frankford TC
																				Historic Square	Urban Core	Urban General	Urban Fringe		

• - Permitted Use  
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 \* - Refer to Article XXXIV for definition

S - Special Use Permit Required  
 TSP - Technical Site Plan Required  
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A - Permitted as an Accessory Use  
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Im - Permitted on Interim Basis Only  
 \_C - Conditional Use (See Art. XX.1)

**3. HOTELS AND TRANSIENT LODGINGS**

72111	Hotel, Full Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S	S	S	S	•	•	•		SDP	S
72111	Hotel, Residence or Hotel Suites (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S		S	S						
72111	Hotel, Limited Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S		S	S	•	•	•		SDP	S
721191	<del>Short-Term Rental Bed and Breakfast Inn</del>		S	S	S			S	S	S	S	S								•		•	S		
721191	<del>Bed and Breakfast Home</del>		S	S	S	S																			
7212	Recreational Vehicle Parks & Recreational Camps						•							S	S	S		S	S						
7213	Rooming & Boarding Houses					S																			

**II. Article XXI. Special Use Permits, Section D, Special Conditions, 2(f) Hotel and Transient Lodging, shall be amended as follows:**

**Section D. Special Conditions**

2. The following shall be considered as minimum requirements to be met relative to a Special Use Permit for such specific uses. These requirements are not intended to repeal any other Section of this Article or Ordinance but shall be cumulative and additional to any other requirements of this Article and Ordinance.

**f. HOTEL AND TRANSIENT LODGING**

The following standards and criteria contained within this subsection are minimum required standards and shall apply to all lodging that is classified under ~~the 0300 Hotel and Transient Lodging category~~ Article V, Hotels and Transient Lodgings. ~~These provisions shall be effective December 1, 2008.~~

- i. Short-Term Rental and Bed and Breakfast ~~Home/Bed and Breakfast Inn~~
  - a) Short-Term Rental/Bed and Breakfast use must be evidenced by association with a ~~Bed and Breakfast Accommodation and Reservation 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) Rate:

A daily rate shall be charged, and no weekly or bi-weekly rates may be charged.
  - c) Accommodations/Operations:
    - 1. ~~A minimum of three and a maximum of six guest rooms are permitted.~~

No kitchens are allowed in rooms, i.e., no ovens, burners, or full-sized refrigerators. Microwave and/or under-counter refrigerators are permissible.
    - 2. ~~Leasing of a common area for social events is prohibited except when off-street parking is provided for a meeting/reception area per Article XXIV. Off-Street Parking and Loading Regulations of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance and all other applicable ordinances and regulations.~~
    - 3. ~~A manager shall be on-site of a Bed and Breakfast Home and Bed and Breakfast Inn at all times when occupied by guests.~~
  - d) Site Design:
    - 1. No vending machines are allowed outdoors.
    - 2. No commercial trash dumpsters are allowed for a Short-Term Rental or Bed and Breakfast ~~Home~~.
  - e) Building Elements (Bed and Breakfast Inns only):
    - 1. ~~A minimum of four elements from the following list shall be incorporated for all Bed and Breakfast Inn buildings:~~
      - a. ~~Awnings~~
      - b. ~~Canopies~~
      - c. ~~Ornamental cornices~~
      - d. ~~Aleoves~~
      - e. ~~Recessed Entries~~
      - f. ~~Pillar Posts~~
      - g. ~~Decorative lighting~~

~~h. Other building elements that contribute to the human scale of a building or character of the architectural design of the building~~

~~2. All facades or sides of Bed and Breakfast Inn buildings shall be designed with architectural style and building materials consistent with the front façade.~~

~~f)e)~~ Parking:

Parking at a Short-Term Rental or Bed and Breakfast must comply with Title IX, Chapter 97 of Carrollton Code of Ordinances relating to Parking Restrictions at a Short-Term Rental or Bed and Breakfast.

~~1. One off-street parking space per guest room and one off-street parking space per owner/proprietor shall be required.~~

~~2. All overnight parking shall be designated parking spaces.~~

~~3. Other than driveways and sidewalks, the front yard (the property from the front of the building to the street) shall not be paved.~~

~~4. All parking areas on the property (except driveways) shall be behind any building lines.~~

~~5. Tandem parking is permitted.~~

~~6. Stacked parking is permitted in driveways for a maximum of four vehicles.~~

~~g)~~ Landscaping:

~~Landscaping should contribute to the overall tranquility and serene setting of the establishment providing temporary accommodations for guests in a residential setting. Benches, plantings, fountains and other private outdoor seating areas should be encouraged and some of these elements shall be incorporated into the site plan.~~

~~h)f) Signage: is limited to six square feet, either free-standing or attached to a building or mailbox, nonilluminated, and shall display only the name and phone number of the Bed and Breakfast Home or Bed and Breakfast Inn on it.~~

No ~~additional~~ outdoor advertising or signage is allowed.

~~i)g)~~ All minimum City requirements for Landscaping and Buffering, Off-Street Parking and Loading, Signs, and all other applicable ordinances, and as amended, shall be met, except where provided herein.

~~j)h)~~ Owner must secure a Lodging License ~~and obtain a Certificate of Occupancy~~ before operating a ~~Bed and Breakfast Home or a Bed and Breakfast Inn~~ Short-Term Rental or Bed and Breakfast. Owner must comply with Chapter 97 of the Carrollton Code of Ordinances

and maintain the Lodging License ~~and Certificate of Occupancy~~ in order to operate.

**III. Article XXXIV. Definitions, Section B. Terms and Definitions, shall be amended to repeal the definitions for “Bed and Breakfast Home” and “Bed and Breakfast Inn” and establish the following definitions in their place, including adding a definition for Short-Term Rental:**

**BED AND BREAKFAST:** A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days and which is permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

**BOOKING SERVICE:** Is any reservation and/or payment service provided by a person or entity that facilitates a hotel, short-term rental, or bed and breakfast transaction between the Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the hotel, short-term rental or bed and breakfast transaction.

**SHORT-TERM RENTAL:** A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days that is not permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

## **CONCLUSION**

Staff is recommending approval amending Articles V, XXI, and XXXIV, of the CZO.



**Excerpt From Draft Minutes  
Planning & Zoning Commission  
Meeting of January 5, 2023**

Hold A Public Hearing To Consider An Ordinance **Amending The Text Of Various Articles Of The Comprehensive Zoning Ordinance** To Amend Article V. Use Of Land And Structures To Revise The Land Use Matrix To Modify The Term “Bed And Breakfast Inn” To “Short-Term Rental”; To Allow “Short-Term Rental” In All Single-Family Detached Residential Districts, All Single-Family Attached Residential Districts and (D) Duplex Residential District; To Modify The Term “Bed And Breakfast Home” To “Bed And Breakfast”; To Allow The Use In The (D) Duplex Residential District; Article XXI. Special Use Permits, Section D, Special Conditions, 2(F) Hotel And Transient Lodging; And Article XXXIV. Definitions To Add Definitions For “Bed And Breakfast,” “Booking Service,” And “Short-Term Rental.” **Case No. PLZT 2022-187 CZO Text Amendment – Short Term Rental.** Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, advised that the city-initiated case was for a Comprehensive Zoning Ordinance text amendment relating to Short Term Rentals that affects Articles V, XXI, XXXIV. He advised that the City Council took final action on December 6, 2022, approving an amendment to the Code of Ordinances as it relates to short-term rentals as well as bed and breakfast properties. He stated that the amendments being presented to the Commission is consistent with what is now in the Code of Ordinances. He reviewed the proposed amendments; advised that staff had not received any comments from the public and recommended approval.

Vice Chair Windrow asked for confirmation that the Commission was asked to consider cleaning up the language, terms and definitions, that SUPs are redefined for short-term rentals, and the four areas where the SUPs are required for the CZO. McCauley confirmed his understanding of the item. He underscored that the Code of Ordinances was changed first, and the Commission is considering zoning regulations to better enforce and regulate what is in the Code of Ordinances. He stated the only places where short-term rentals will be allowed by right would be in the Urban General and Historic Square subsections in the Downtown Transit Center District.

First Vice Chair Powell referred to the section headed Hotel and Transient Lodging with regards to a booking service and asked what the purpose was. He stated that he has often rented B&Bs without going through a booking service and questioned the requirement. Corey Heiple, Environmental Services Director, stated that “booking service” is broadly defined to include even a private website in addition to more widely known services such as VRBO; essentially a booking service is any opportunity for the public to rent a location on-line. Commissioner Powell stated he was comfortable with the text amendment.

Commissioner Doyle asked staff to explain the parking requirement. McCauley stated on-street parking would not be allowed for bed and breakfast or short-term rental uses.

Commissioner Foster asked about enforcement regarding parking. Heiple explained that enforcement would be on a complaint-basis.

Chair Carpenter opened the public hearing; there being no speakers, he opened the floor for discussion or a motion.

- \* *Vice Chair Windrow moved to close the public hearing on Item 7 amending the text of various articles of the Comprehensive Zoning Ordinance, Case No. PLZT 2022-187 CZO Text Amendment – Short Term Rental with staff stipulations; second by Commissioner Foster. The motion was approved with a unanimous 8-0 vote; Taylor absent.*

PLANNING DEPARTMENT  
CITY OF CARROLLTON  
DATE: 02/07/23

CZO TEXT AMENDMENT  
SHORT-TERM RENTAL

ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ARTICLE V. USE OF LAND AND STRUCTURES TO REVISE THE LAND USE MATRIX TO MODIFY THE TERM “BED AND BREAKFAST INN” TO “SHORT-TERM RENTAL”; TO ALLOW “SHORT-TERM RENTAL” IN ALL SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICTS, ALL SINGLE-FAMILY ATTACHED RESIDENTIAL DISTRICTS AND (D) DUPLEX RESIDENTIAL DISTRICT; TO MODIFY THE TERM “BED AND BREAKFAST HOME” TO “BED AND BREAKFAST”; TO ALLOW THE "BED AND BREAKFAST" IN THE (D) DUPLEX RESIDENTIAL DISTRICT AND TO PROHIBIT "BED AND BREAKFAST" IN ALL MULTI-FAMILY RESIDENTIAL DISTRICTS; ARTICLE XXI. SPECIAL USE PERMITS, SECTION D, SPECIAL CONDITIONS, 2(F) HOTEL AND TRANSIENT LODGING; AND ARTICLE XXXIV. DEFINITIONS TO ADD DEFINITIONS FOR “BED AND BREAKFAST,” “BOOKING SERVICE,” AND “SHORT-TERM RENTAL”; TO PROVIDE PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND TO PROVIDE AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

**WHEREAS**, at a public hearing held on the Fifth day of January 2023, the Planning & Zoning Commission considered and made recommendation on a change to the Comprehensive Zoning Ordinance of the City of Carrollton (Case No. PLZT 2022-187); and

**WHEREAS**, the City Council conducted a public hearing on the Seventh day of February 2023, at which all persons were given an opportunity to present testimony; 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.

Article V. Use of Land and Structures (Use Table), Primary Uses, 3. Hotels and Transient Lodgings, of the Comprehensive Zoning Ordinance is hereby amended to read as follows:

“

Use Code	Type of Use	(LH)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(D)	(ALL MF DISTRICTS)	(MHP)	(O-1, O-2)	(O-3)	(O-4)	(LR-1)	(LR-2)	(CC)	(LC)	(HC)	(C/W)	(FWY)	(LI)	(HI)	DOWNTOWN TRANSIT CENTER				Trinity Mills TC	Frankford TC
																				Historic Square	Urban Core	Urban General	Urban Fringe		

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### 3. HOTELS AND TRANSIENT LODGINGS

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72111	Hotel, Residence or Hotel Suites (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S		S	S						
72111	Hotel, Limited Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S		S	S	•	•	•		SDP	S
721191	Short-Term Rental		S	S	S			S	S	S	S	S								•		•	S		
721191	Bed and Breakfast		S	S	S																				
7212	Recreational Vehicle Parks & Recreational Camps						•							S	S	S		S	S						
7213	Rooming & Boarding Houses					S																			

”

### Section 3.

Article XXI. Special Use Permits, Section D, Special Conditions, 2(f) Hotel and Transient Lodging, is hereby amended to read as follows:

#### “Section D. Special Conditions

2. The following shall be considered as minimum requirements to be met relative to a Special Use Permit for such specific uses. These requirements are not intended to repeal any other Section of this Article or Ordinance but shall be cumulative and additional to any other requirements of this Article and Ordinance.

#### f. HOTEL AND TRANSIENT LODGING

The following standards and criteria contained within this subsection are minimum required standards and shall apply to all lodging that is classified under Article V., Hotels and Transient Lodgings.

i. Short-Term Rental and Bed and Breakfast

- a) Short-Term Rental and Bed and Breakfast 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) Rate:  
A daily rate shall be charged, and no weekly or bi-weekly rates may be charged.
- c) Accommodations/Operations:  
No kitchens are allowed in rooms, i.e., no ovens, burners, or full-sized refrigerators. Microwave and/or under-counter refrigerators are permissible.
- d) Site Design:
  - 1. No vending machines are allowed outdoors.
  - 2. No commercial trash dumpsters are allowed for a Short-Term Rental or Bed and Breakfast.
- e) Parking:  
Parking at a Short-Term Rental or Bed and Breakfast must comply with Title IX, Chapter 97 of Carrollton Code of Ordinances relating to Parking Restrictions at a Short-Term Rental or Bed and Breakfast.
- f) Signage:  
No-outdoor advertising or signage is allowed.
- g) All minimum City requirements for Landscaping and Buffering, Off-Street Parking and Loading, Signs, and all other applicable ordinances, and as amended, shall be met, except where provided herein.
- h) Owner must secure a Lodging License before operating a Short-Term Rental or Bed and Breakfast. Owner must comply with Chapter 97 of the Carrollton Code of Ordinances and maintain the Lodging License in order to operate.”

Section 4.

Article XXXIV. Definitions, Section B. Terms and Definitions, is hereby amended to repeal the definitions for “Bed and Breakfast Home” and “Bed and Breakfast Inn” and establish the following definitions:

“BED AND BREAKFAST: A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days and which is permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

**BOOKING SERVICE:** Is any reservation and/or payment service provided by a person or entity that facilitates a hotel, short-term rental, or bed and breakfast transaction between the Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the hotel, short-term rental or bed and breakfast transaction.

**SHORT-TERM RENTAL:** A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days that is not permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.”

Section 5.

Any person, firm or corporation 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 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 Seventh day of February 2023.

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

\_\_\_\_\_  
Michael McCauley  
Senior Planner







## Agenda Memo

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**Agenda Date:**

**Version:** 1

**Status:** Public Forum

**In Control:** City Council

**File Type:** Public Forum

**Agenda Number:** 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.