

City of Carrollton

1945 E. Jackson Road
Carrollton, TX 75006



REGULAR WORKSESSION & MEETING

Tuesday, May 16, 2023

6:15 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*******6:15 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.
3. Council will reconvene in open session to consider action, if any, on matters discussed in the Executive Session.

*****WORKSESSION*****

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

*****REGULAR MEETING 7:00 PM*******INVOCATION - Councilmember Christopher Axberg****PLEDGE OF ALLEGIANCE - Councilmember Richard Fleming****PRESENTATIONS**

5. Present A **Proclamation Honoring National Police Week.**

PUBLIC COMMENT

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

CONSENT AGENDA

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

MINUTES

- *7. Consider Approval Of The April 4, 2023 Regular Meeting Minutes.**
- *8. Consider Approval Of The April 18, 2023 Regular Meeting Minutes.**

BIDS & PURCHASES

- *9. Consider Authorizing The City Manager To Purchase Licensing And Maintenance Services From Harris Computer Systems In The Amount Of \$103,228.95, For A Two-Year Amount Not To Exceed \$216,780.80.**
- *10. Consider Approval Of RFP # 23-020 For Fertilizer Supplies For The Parks Maintenance Department From Various Vendors In The Amount Of \$90,000.00 Annually, For A Total Three-Year Contract Value Not To Exceed \$270,000.00.**

- *11.** Consider Approval Of RFP # 23-019 Plant Protection For The Parks Department From Helena Agri Enterprises, LLC In The Amount Of \$90,000.00 Annually, For a Total Three-Year Contract Value Not To Exceed \$270,000.00.

RESOLUTIONS

- *12.** Consider A Resolution Accepting The Investment Officer's Quarterly Report For Second Quarter Ended March 31, 2023.
- *13.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Contract Renewal With Freedom Commercial Services, LLC For Mowing And Code Violation Abatement Services Through An Interlocal Agreement With The City Of Lewisville In An Amount Not To Exceed \$83,029.00.

ORDINANCE

- *14.** Consider An Ordinance Canvassing The Returns And Declaring The Results Of The May 6, 2023 General Election.

PRESENTATIONS

- 15.** Presentation Acknowledging The Service Of Outgoing Councilmembers And Welcoming The Newly Elected Officials.

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 12th day of May 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 972-466-3005. 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: 5231

Agenda Date:

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 4.

Mayor And Council Reports And Information Sharing.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6170

Agenda Date: 5/16/2023

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentation

Agenda Number: 5.

CC MEETING: May 16, 2023

DATE: May 11, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Present A **Proclamation Honoring National Police Week.**



Agenda Memo

Agenda Date:

Version: 1

Status: Public Forum

In Control: City Council

File Type: Public Forum

Agenda Number: 6.

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.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 6167

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *7.

CC MEETING: May 16, 2023

DATE: May 10, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider **Approval Of The April 4, 2023 Regular Meeting Minutes.**

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
APRIL 4, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, April 4, 2023 at 5:45 pm with the following members present; Mayor Steve Babick, Mayor Pro Tem Andrew Palacios, Deputy Mayor Pro Tem Nancy Cline, Councilmembers Christopher Axberg, Adam Polter, Richard Fleming, Young Sung and H.A. “Rusty” Pendleton. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

5:45 P.M. – COUNCIL BRIEFING ROOM

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

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

1. Receive information and discuss Agenda.

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

- 2.** Council 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.
- 3.** Council will reconvene in **Open Session** to consider action, if any, on matters discussed in the Executive Session. Council did not convene in Executive Session - No action taken.

*****WORKSESSION*****

4. Receive Legislative Update.

Mayor Babick advised that the item was postponed to next meeting.

5. Receive A Proposal To Create A Removal And Replacement Program For Trees Located Under Overhead Powerlines Within Major Street Corridor Rights-of-Way.

Ravi Shah, Development Services Director, stated that corridor beautification has been a Council Strategic Goal to revitalize the aging corridors and to improve the aesthetics and economic value of the surrounding properties. He provided a brief review of the various phases and proposed the next phase. He discussed the Landscape Ordinance as it pertains to requirements for trees under overhead power lines. The most recent amendment being in November 2022 to add a robust small/ornamental tree list that serves as the Powerline Corridor Tree List. He talked about tree pruning methods noting that Oncor requires that trees are away from the power lines by about 10ft. He provided the following proposed status definitions:

Status 1 – fall within the powerline zone, pruned somewhat, but not considered hazardous, not permanently disfigured

Status 2 – disfigured through over-pruning, somewhat unsightly, may or may not remain relative to corridor beautification. Evaluated every 3 years.

Status 3 – deemed potentially hazardous to public safety, compromised structure, disfigured, and cannot be correctively pruned moving forward. Removal is imminent. Evaluation may or may not be necessary another year.

Shah provided pictures of trees that fall in the Status 3 level and stated that those trees removed would be replaced with ornamental trees as listed in the ordinance. He used a map to illustrate the location of Status 1, 2 & 3 trees and advised that a total of 234 trees were identified. He reviewed the Program Details and underscored that it does not include trees that are on private property. The program would be administered by Development Services and reviewed by the Re-Development Committee. Shah used a flow chart to review the tree removal and replacement action steps and reviewed the proposed annual workplan. He asked for direction from the City Council with regard to proceeding with the program as recommended by the Re-Development Committee.

Councilmember Sung, Chair of the Re-Development Committee, spoke in favor of the proposed program.

Councilmember Polter stated he was in favor of the program and voiced a desire to go further by developing a program to begin removing the power lines from the major corridors. He talked about power outages in winter storms due to downed power lines because of ice.

Councilmember Axberg voiced his appreciation for the cooperation with Oncor and efforts to ensure that we are getting the right advice to be environmentally sound.

Deputy Mayor Pro Tem Cline applauded the staff initiative and asked about private property along Denton Drive. Shah stated that much of the inventory was accomplished through a video scan and staff would do further research to identify property lines.

Mayor Babick voiced his approval of moving forward with the program and suggested a nomination process. Shah stated there were approximately 39 trees in major corridors currently listed in the Status 3 category.

6. Mayor And Council Reports And Information Sharing.

Mayor Babick adjourned the Worksession at 6:45 pm.

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

Mayor Babick called the meeting to order at 7:00 pm.

INVOCATION – Councilmember Richard Fleming

PLEDGE OF ALLEGIANCE – Councilmember Rusty Pendleton

PRESENTATIONS

7. Present A Proclamation Recognizing April As Records Management Awareness Month.

8. Present A Proclamation To The Children’s Advocacy Center For North Texas Recognizing Child Abuse Prevention Month.

PUBLIC COMMENT

9. 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.

There were no speakers.

CONSENT AGENDA

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

Councilmember Sung moved approval of Consent Agenda Items 10-22; second by Councilmember Polter. The motion was approved with a unanimous 7-0 vote.

MINUTES

***10. Consider Approval Of The March 21, 2023 Regular Meeting Minutes.**

BIDS & PURCHASES

***11. Consider Approval Of The Purchase Of Mobile Anti-Vehicle Barriers From Meridian Rapid Defense Group, LLC., Through A GSA Contract, In An Amount Not To Exceed \$100,000.00.**

***12. Consider Approval Of RFP# 23-011 For A Portable Restroom Trailer From Ready2Go Restroom Trailers Sales, LLC In An Amount Not to Exceed \$89,819.00.**

***13. Consider Approval Of The Purchase Of Palo Alto Network Maintenance From Solid Border, Inc Through A Cooperative Contract with DIR In An Amount Not To Exceed \$115,623.51.**

CONTRACTS & AGREEMENTS

***14. Consider Authorizing The City Manager To Execute Change Order No. 2 With 3D Paving And Contracting, LLC For Additional Work on Crockett Drive And Fannin Drive As Part Of The Crosby Estates 2 NOTICE Paving And Drainage Improvement Project, In An Amount Not To Exceed \$160,892.00, Increasing The Total Project Contract To An Amount Not To Exceed \$5,188,682.00.**

***15. Consider Authorizing The City Manager To Approve A Construction Contract With Tegrity Contractors, Inc. For The Rosemeade Recreation Center Gymnasium Addition In An Amount Not To Exceed \$7,550,000.00.**

***16. Consider Authorizing The City Manager To Enter Into An Agreement With Capco Communications, Inc. Through An Interlocal Agreement With Collin County Governmental Purchasers Forum For Fiber Network Design And Implementation In An Amount Not To Exceed \$750,000.00.**

ORDINANCE

***17. Consider An Ordinance Updating Chapter 37 Of The Code Of Ordinances Relating To Records Management.**

RESOLUTIONS

***18. Consider A Resolution Authorizing The City Manager To Execute Contract Amendment No. 3 With Pacheco Koch Consulting Engineers, LLC For Additional Engineering Design Services On The Northland Estates And Ridgecrest Addition Street Replacement Project, In An Amount Not To Exceed \$46,250.00, Increasing The Total Project Contract To An Amount Not To Exceed \$882,449.00.**

***19. Consider A Resolution Declaring A Public Need And Necessity For Certain Property Rights Necessary For The Construction Of The Citywide Sidewalk Improvements Program Located In The City Of Carrollton; Authorizing The Acquisition Of The Property Rights Necessary For A Fee Simple Right-Of-Way And The Construction Of A Sidewalk Within Said Right-Of-Way At 2201 Marsh Lane; Authorizing The City Manager Of The City Of Carrollton To Take All Necessary Action For The Acquisition Of Said Property Rights For Public Purposes.**

***20. Consider A Resolution Authorizing The City Manager To Renew Agreements With Ad-A-Staff, Cornerstone Staffing and V-Tech Solutions To Provide Temporary Staffing In An Amount Not To Exceed \$150,000.**

***21. Consider A Resolution Authorizing The City Manager To Enter Into A Community Development Block Grant Funding Subrecipient Agreement With Metrocrest Services, In An Amount Not To Exceed \$115,000.00.**

***22. Consider A Resolution Authorizing The City Manager To Execute A Contract With Metrocrest Services For The Continuation Of Homelessness Prevention And Response Programs In An Amount Not To Exceed \$535,000.00, Increasing The Total Contract To An Amount Not To Exceed \$1,027,046.00.**

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

23. Hold A Public Hearing To Consider An Ordinance Adopting Standards Of Care For Administering The City of Carrollton Summer Youth Program.

Heather Smith, Recreation Manager, stated the item is with regard to meeting State licensing for the summer camp program and the public hearing and approval that is required each year. She advised that only grammatical changes were made from last year's Standards of Care document.

Mayor Babick opened the public hearing; there being no speakers, he closed the public hearing.

Councilmember Polter moved approval of Item 23; seconded by Mayor Pro Tem Palacios. The motion was approved with a unanimous 7-0 vote.

24. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 10.889-Acre Tract Zoned To The (LI) Light Industrial District And Planned Development 128 (PD-128) For The (O-2) Office District And Located At The Northeast Intersection Of Marsh Lane And Running Duke Drive, To Reestablish PD-128 To Allow For Personal Storage/Garage Condominiums And Mini-Storage Warehouse Self-Storage Units; To Revise The Development Standards, And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2022-195 Garages of America.

Planning Manager Loren Shapiro presented the request to amend the zoning to allow a self-storage facility on Tract 1 and would continue the auto condominiums on Tract 2 similar to the zoning to the north, and Tract 3 would be light industrial zoning to continue the continuity of the zoning that exists to the north. He reported that the applicant would provide sufficient landscaping that matches with the multi-family to the south and along Tarpley Road. Shapiro referred to the list of Prohibited Uses including auto repair services and outside storage. He reviewed the conceptual building elevations that match the existing Garages of Texas to the north. With regard to the self-storage facility, staff felt the elevations include architectural elements that are compatible with what is along Marsh Lane. He noted the HOA residents located across the street and to the west of the property are in support of the request. Staff recommended approval with the stipulations listed in the case report.

Deputy Mayor Pro Tem Cline asked about ownership of the condominiums and Shapiro explained that individuals could purchase a unit and deferred to the applicant.

Fred Gans, Garages of America, advised that they have 69 garages to the north that are sold out. In response to Deputy Mayor Pro Tem Cline, he stated that it would be individual units that would be part of an HOA. The owner would own the interior space along with 1/69th of the common area. There are documents, declarations, rules and regulations that are tightly controlled and adhered to.

Mayor Babick referred to the prohibited uses and asked the applicant if he had any concerns. Mr. Gans replied that he had no concerns or issues.

Councilmember Pendleton stated that he had an opportunity to tour the existing facility and stated it is extremely professionally run and was in favor of the request.

Councilmember Polter asked if people were allowed to live in the units and Mr. Gans replied that there was absolutely no residential use whatsoever.

Mayor Babick opened the public hearing; there being no speakers, he closed the public hearing.

Councilmember Sung moved approval of Item 24; second by Councilmember Pendleton. The motion was approved with a unanimous 7-0 vote.

25. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.8-Acre Tract Zoned To The (SF-12/20) Single-Family Residential District And Located At 2400 Briardale Drive And Approximately 480 Feet East Of Kelly Boulevard, To Amend And Reestablish Planned Development District 119 (PD-119) To Change The Base Zoning To The (SF-8.4/18) Single-Family Residential District And Modify Development

Standards, And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly.
Case No. PLZPD 2022-196 The Enclave.

Loren Shapiro explained that the request is to expand an existing development and rezone the property. He stated that the applicant has met with the adjacent Parkside Subdivision located to the west of the subject site. He described the applicant's request for six lots with a minimum of 9,700 sq ft; minimum 3,000 sq ft homes; minimum lot size width of 80 ft. along with other development standards. He stated that while staff recommends approval, a super majority vote (6) is required to over-ride the opposition. He reviewed conceptual home elevations and provided a map highlighting the homeowners within 200 ft. in opposition to the request.

Deputy Mayor Pro Tem Cline asked about the feasibility of the removal of the flood plain. Shapiro replied that the applicant would need to acquire approval from FEMA and would have to provide civil plans that would comply with City ordinances regarding drainage which usually happens during the platting process.

Mayor Babick asked if a different developer could develop the site with more homes and still meet the minimum set out. Shapiro stated it would be very difficult and in addition, they would have to modify the concept plan which would require approval by the Planning and Zoning Commission and the City Council.

Councilmember Polter voiced concern about the drainage and the ability to develop the site.

Mayor Babick invited the applicant to make a presentation.

Victor Castro, representing the Enclave, did not make a formal presentation but was available to answer questions. He stated he could not answer questions about the drainage because they have not gotten to that step in the development process and assured the Council that they would follow all of the steps required. He felt it would benefit everyone.

Mayor Babick opened the public hearing and announced the receipt of one card in support by Syed Jafri, Jafri Construction.

Brian Farlow, 2301 Briardale Drive, advised that Parkside has expanded their HOA to include the subject site. He stated that the HOA covenants are more restrictive than the PD and they felt it was about the best they could do to govern that piece of land. He felt that the developer has done the right thing and he spoke in support of the request with confidence.

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

Councilmember Sung asked if the applicant had spoken with FEMA. Mayor Babick clarified that the question before the Council was with regard to zoning and drainage would be addressed as part of the subsequent process. City Attorney Meredith Ladd stated the applicant would be required to get a permit from FEMA but it is not part of the zoning process.

Councilmember Fleming moved approval of Item 25; second by Councilmember Pendleton. The vote was 4-2-1; Councilmembers Axberg and Polter opposed, and Councilmember Sung abstained. Mayor Babick explained that the initial vote was flawed due to the inappropriate use of an abstention. A second vote was called and the motion failed with a 5-2 vote; Councilmembers Polter and Sung opposed. Mayor Babick noted that the motion failed because the vote did not meet the super majority threshold of 6 votes in favor.

26. Hold A Public Hearing And Consider A Resolution Amending The Comprehensive Plan And The Future Land Use Map To Change An Approximately 5-Acre Tract Located At 4409 Charles Street, On The West Side Of Charles Street Approximately 1,340 Feet South Of Plano Parkway, From ‘Medium Intensity Office’ To ‘Single-Family Detached Residential’. Case No. PLMA 2023-001 Grand Homes (Comp Plan).

27. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 5-Acre Tract Zoned (CC) Corporate Commercial District And Located At 4409 Charles Street, On The West Side Of Charles Street Approximately 1,340 Feet South Of Plano Parkway, To Establish A Planned Development District To Change The Base Zoning To The (SF-8.4/18) Single-Family Residential District And Create Development Standards And Conceptual Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-003 Grand Homes (Zoning).

Loren Shapiro advised that Items 26 and 27 were companion items. Item 26 is a request to amend the Comprehensive Plan and Future Land Use Map to Single-family detached residential. Staff recommended approval based on the proposed zoning for the site.

With regard to Item 27, Shapiro explained that the request is to establish a new PD for the site. He advised that the applicant proposed a gated community consisting of 13 single-family detached homes with a private street. He referred to the stipulations and described the narrow property. He stated that although the property would be front loaded, the garage doors would not face the street which is very similar to the subdivision to the south. He reviewed the conceptual landscape plan that shows landscaping on Charles Street; enhanced entry ways as well as a masonry screening wall along the south and west boundary of the property. He noted that there would only be two lots under 8,400 sq ft and that the 13 lots average 11,690 sq ft. The minimum dwelling unit would be 3,200 sq ft. and there would be one shade tree required in each of the front yards; at least 10 ft away from the driveway. He stated that staff feels the proposal meets the intent of the property and that it is compatible with the single-family zoning due south.

Stephen Boudreau, Level Group Southwest, representing the developer, stated he would be happy to answer any questions.

Councilmember Polter asked about the shared driveways. Mr. Boudreau stated they were not all shown on the exhibit and referred to the two lots furthest to the right of the Site Plan that were representative of the shared drives.

Deputy Mayor Pro Tem Cline asked if the “enter only and the exit” was to provide stacking for the gated entry and Mr. Boudreau replied affirmatively. Deputy Mayor Pro Tem Cline also asked about the height of the screening wall on the southside. Mr. Boudreau stated they proposed a 6ft wall with 7ft tall columns.

Mayor Babick opened the public hearing for Items 26 and 27.

Kyle Kucera 2617 Green Oak Drive, spoke in reference to a packet he provided to the City Council regarding drainage concerns. He stated the feeling that the PD represents the highest and best use of the property while considering the quiet enjoyment and privacy of the surrounding property owners. He voiced his support of the proposed ordinance provided that storm water mitigation includes the southern border.

Marci Waski, 2625 Green Oak Drive, voiced concern with the entry being located at her backyard and requested something such as a higher wall or vegetation to mitigate the traffic sounds and lights.

There being no other speakers, he closed the public hearings.

Councilmember Pendleton moved approval of Item 26; second by Deputy Mayor Pro Tem Cline. Councilmember Polter spoke in favor of the use for the property. **The motion was approved with a unanimous 7-0 vote.**

Mayor Pro Tem Palacios moved approval of Item 27; second by Councilmember Pendleton.

Councilmember Polter asked about vegetation in the area noted by the last speaker. Shapiro replied that there are shrubs and talked about being aware of the required visibility triangle. He suggested that the applicant would understand that they have to place trees, shrubs and ornamentals along that south side of the property, and he referred to the proposed 6ft tall masonry wall with 7ft columns. Councilmember Polter stated that he understands the speaker's concern and that any mitigation would be appreciated.

Deputy Mayor Pro Tem Cline asked where the masonry screening wall ends on the south property line and Shapiro replied that while conceptual, it would probably end just short of the right-of-way because of the visibility triangle. The wrought iron fence would be located on the east side along Charles to match up with what is to the south. He suggested the applicant could respond. Mr. Boudreau stated that the exact location of the screening wall hasn't been determined but would be based on the visibility angles for traffic to be able to turn safely onto Charles Street. He stated they would take it as far down as possible.

There being no further discussion, Mayor Babick called the vote. The motion was approved with a unanimous 7-0 vote.

28. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit For A Full-Service Car Wash On An Approximately 1.35-Acre Tract Zoned Planned Development 52 (PD-52) For The (LR-2) Local Retail District And Located At 2126 North Josey Lane, On The East Side Of Josey Lane And Approximately 750 Feet South Of Keller Springs Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2022-179 Landshark Car Wash.

Loren Shapiro stated that the applicant was requesting a SUP for a full-service car wash and the property would be dressed with landscaping. There would be a single point of access/egress would be right in/right out for northbound traffic. He reviewed the conceptual building elevations. He stated that staff is not in support of the use at the location. He stated the only means of access to go southbound would be the shared access with the Sonic that is located to the north. He voiced concern about excessive U-turns. He reviewed recommended stipulations should the Council decide to approve the request.

Councilmember Polter asked it would be possible to create an opening in the median to allow traffic to turn left from the site. Shapiro replied that there isn't sufficient space between median openings and he stated that the close proximity to the railroad tracks would be problematic.

Doug Galloway, 3838 Oaklawn Dallas, the applicant, stated that they are really excited about the possibilities for the site and recognized that the site is located in a very important corridor. He stated that despite being considered an automotive use, he felt they meet the purpose and intent of the overlay.

Mr. Galloway stated they would exceed the required landscaping drastically and would reduce the concrete on the site by over 30%. He proposed removing the parking spaces along Josey Lane and providing a full 50ft of landscaping. They would sweep the fire lane from the drive approach to Sonic and create another dead-end fire lane to the north which would eliminate the existing dead-end fire lane that doesn't meet any of the current fire codes or ordinances. He stated that the comment about traffic not being able to go southbound is true for any business that would be located at the site and that they are comfortable with it. He believed the traffic pattern of drivers would adjust based on the new business on that site and felt the business would be a great asset to the community.

Councilmember Sung asked the applicant if he foresees any traffic issues. Mr. Galloway stated that the TIA traffic study reflected that they would generate less traffic than a bank or daycare. He also talked about the queue lanes for members.

Councilmember Axberg asked the applicant if he was aware of the proposed stipulations and if he was in agreement. Mr. Galloway stated they were aware of the stipulations and were quite comfortable with it.

Mayor Babick opened the public hearing.

Suzanna Dooling spoke in favor of the request and stated she was excited about the proposal.

There being no other speakers, Mayor Babick closed the public hearing and opened the floor for discussion or a motion.

Councilmember Sung moved approval of Item 28 with staff stipulations; second by Councilmember Pendleton.

Councilmember Polter spoke about other car washes that have similar turning constraints without a problem and felt the business would work well.

The motion was approved with a 5-2 vote; Councilmembers Palacios and Cline opposed.

29. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Amend Special Use Permit 413 (SUP-413) To Allow A Nursing Care Facility As An Additional Use On An Approximately 5.426-Acre Tract Zoned Planned Development 189 (PD-189) For The (O-4) Office District And Located At 1401 East Trinity Mills Road And At The Northwest Corner Of Trinity Mills Road And McCoy Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2022-188 Legent Orthopedic Hospital.

Loren Shapiro stated that the applicant would be adding the additional use of Nursing Care Facility on the third floor of the building. The applicant would be making no changes to the elevations and not adding any building area; merely wanting to occupy space on the third floor for the use. He stated there would be no more than 16 patients and the conditions in the proposed ordinance are items brought forward from the MRI building that's along the northside of the property as well as the operating room expansion that was made a few years back. He stated it meets the parking requirements and recommended approval.

Daniel Box, Winstead PC zoning attorney representing the applicant, stated they did not have a formal presentation but would be happy to answer any questions.

Brittany Schmitz, Regional VP for Legent Operation, stated she runs operations and would be happy to answer any questions.

Cole Schmitz, VP of Clinical Operations, was also happy to answer questions.

Councilmember Polter asked about the length of an average or typical stay for a patient. Mr. Schmitz replied that most of the patients would be there a for few days pending post-op.

Mayor Babick opened the public hearing; there being no speakers, he closed the public hearing and opened the floor for discussion or a motion.

Councilmember Polter moved approval of Item 29; second by Councilmember Sung. The motion was approved with a unanimous 7-0 vote.

PUBLIC FORUM

30. 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.

Emily Louvonas, 3712 Canon Gate Circle, spoke with interest in getting lights around the Creekview High School football, track and soccer fields so the students could host games there and also requested getting the tennis courts updated. Mayor Babick stated that it was likely a school district issue and that staff would forward her comments appropriately.

Terence Vidovic asked that the police report he provided previously be returned to him and reiterated his previous comments and complaints made.

ADJOURNMENT - Mayor Babick adjourned the meeting at 8:20 pm.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6168

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *8.

CC MEETING: May 16, 2023

DATE: May 10, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider **Approval Of The April 18, 2023 Regular Meeting Minutes.**

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

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

5:45 P.M. – COUNCIL BRIEFING ROOM

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

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

1. Receive information and discuss Agenda.

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

- 2. Council convened in Executive Session at 5:58 pm** pursuant to Texas Government Code:
- **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
 - *Cause No. DC-19-02648, Weir Brothers Contracting, LLC v. The City of Carrollton*, in the 162nd Judicial District Court of Dallas County, Texas.
- 3. Council reconvened in Open Session at 6:15 pm** to consider action, if any, on matters discussed in the Executive Session.

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

*****WORKSESSION*****

Mayor Babick convened the Worksession at 6:15 pm.

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

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

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

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

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

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

Grants

FY23 Grant Funding: \$1,181,229.72

Carrollton Allocation: \$593,878.60

Key Features:

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

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

6. Receive Legislative Update.

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

Mayor Babick thanked Mr. Howden for the update.

8. Mayor And Council Reports And Information Sharing.

Mayor Babick adjourned the Worksession at 7:04 pm.

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

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

INVOCATION – Councilmember Richard Fleming

PLEDGE OF ALLEGIANCE – Councilmember Rusty Pendleton

PRESENTATIONS

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

PUBLIC COMMENT

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

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

Terence Vidovic asked about the bid for the Fire Truck.

There were no other speakers.

CONSENT AGENDA

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

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

BIDS & PURCHASES

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

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

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

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

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

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

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

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

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

RESOLUTIONS

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

OTHER BUSINESS

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

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

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

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

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

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

PUBLIC FORUM

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

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

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

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

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

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

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

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

Terence Vidovic inquired about his Open Records Request.

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

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

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor



Agenda Memo
File Number: 6164

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *9.

CC MEETING: May 16, 2023

DATE: May 9, 2023

TO: Erin Rinehart, City Manager

FROM: Cory Heiple, Environmental Services Director
Marc Guy, Assistant City Manager

Consider **Authorizing The City Manager To Purchase Licensing And Maintenance Services From Harris Computer Systems In The Amount Of \$103,228.95, For A Two-Year Amount Not To Exceed \$216,780.80.**

BACKGROUND:

CityView software, provided by Harris Computer Systems, is utilized as the interdepartmental inspection and administration software for the City’s Code Enforcement, Building Inspection, Community Development and Environmental Quality Divisions. Additionally, this system provides the mechanism and external portal to receive residential complaints applicable to these operations.

Harris Computer Systems provides the necessary licensing and ongoing support as a part of this annual software maintenance and is critical for the Environmental Services and Development Services Departments to continue normal operations.

FINANCIAL IMPLICATIONS:

The CityView software is budgeted within the Environmental Services operating budget. This agenda item encompasses licensing and maintenance fees and software stabilization monitoring and support for FY 2023 and FY 2024 with a 10% contingency for potential inflationary increases in 2024.

IMPACT ON COMMUNITY SUSTAINABILITY:

Providing the tools used by the various City operations that ensure the preservation of life, safety and public health of the community is an essential component of community sustainability.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of the purchase of the licensing and annual maintenance

service from Harris Computer Systems in the amount of \$103,228.95, for a two-year amount not to exceed \$216,780.80, which includes a 10% contingency.



Agenda Memo
File Number: 6166

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *10.

CC MEETING: May 16, 2023

DATE: May 11, 2023

TO: Erin Rinehart, City Manager

FROM: Scott Whitaker, Director of Parks & Recreation
Chrystal Davis, ACM

Consider Approval Of RFP # 23-020 For Fertilizer Supplies For The Parks Maintenance Department From Various Vendors In The Amount Of \$90,000.00 Annually, For A Total Three-Year Contract Value Not To Exceed \$270,000.00.

BACKGROUND:

The material to be purchased from this price agreement will take care of all fertilizer requirements for Parks.

Bid notifications were posted online, previous and interested vendors were contacted, and advertisements were placed in the Dallas Morning News, of which five vendors responded. BWI is an existing supplier of fertilizer supplies and has consistently maintained a good working relationship with the City.

FINANCIAL IMPLICATIONS:

The materials on RFP #23-020 were approved for purchase from budgeted funds for the cost center and amount as listed below:

<u>COST CENTER</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
PARKS - 353001	60220 - Chemicals	\$90,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the low bids meeting all specifications be awarded as listed below for an amount not to exceed \$90,000 for the first year with two additional one-year renewal periods resulting in a total three-year contract in an amount not to exceed \$270,000.00.

<u>COMPANY</u>	<u>ITEM(S)</u>	
BWI	Primary Vendor Items	1, 2, 3, 6, and 8
BWI	Secondary Vendor Items	4, 5, 7, and 9
Helena	Primary Vendor Items	4, 5, 7, and 9
Helena	Secondary Vendor Items	1, 2, 3, 6, and 8
Heritage	Tertiary Vendor Items	1, 4, 6, 7, and 8

Event Number	RFP #23-020	Organization	City of Carrollton Purchasing
Event Title	Fertilizer Supplies	Workgroup	Purchasing
Event Description	The City of Carrollton is soliciting requests for	Event Owner	Julie Ketterer
Event Type	RFP	Email	Julie.Ketterer@cityofcarrollton.com
Issue Date	3/24/2023 10:01:00 AM (CT)	Phone	(972) 466-3105
Close Date	4/26/2023 01:30:00 PM (CT)	Fax	

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
San Jacinto Environmental Supply (San Jacinto Capital Corp)	Houston	TX	4/25/2023 02:25:07 PM (CT)	3	\$189,060.00
Heritage Professional Products Group (Heritage Landscape Supply Group, Inc)	Carrollton	TX	4/21/2023 01:19:24 PM (CT)	5	\$80,586.00
Helena Agri Enterprises, LLC	Greenville	TX	4/26/2023 03:57:54 PM (CT)	9	\$145,560.00
BWI Companies, Inc.	Carrollton	TX	4/26/2023 03:18:00 PM (CT)	9	\$159,248.40
Justin Seed Co.	Justin	TX	4/25/2023 03:40:45 PM (CT)	6	\$162,348.50

Please note: Lines Responded and Response Total only includes responses to specification. Alternate response data is included for San Jacinto only.

Note: San Jacinto Environmental submitted no bid on specified products, but provided alternates to three items. The pricing is located in their column.



Agenda Memo
File Number: 6169

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *11.

CC MEETING: May 16, 2023

DATE: May 11, 2023

TO: Erin Rinehart, City Manager

FROM: Scott Whitaker, Director of Parks & Recreation
Chrystal Davis, ACM

Consider **Approval Of RFP # 23-019 Plant Protection For The Parks Department From Helena Agri Enterprises, LLC In The Amount Of \$90,000.00 Annually, For a Total Three-Year Contract Value Not To Exceed \$270,000.00.**

BACKGROUND:

The chemicals to be purchased from this price agreement will take care of all plant protection requirements for the Parks department. This RFP is for one year with the option to renew for two additional one-year renewal periods, for a total three-year contract valued at \$270,000.00.

Bid notifications were posted online, previous and interested vendors were contacted, and advertisements were placed in the Dallas Morning News, of which three vendors responded. Helena Agri Enterprises, LLC was chosen as the primary vendor, as they have the lowest overall cost per item.

FINANCIAL IMPLICATIONS:

The chemicals on RFP# 23-019 were approved for purchase from budgeted funds for the cost center and amount as listed below:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
PARKS	60220 - Chemicals	\$90,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the low bids meeting all specifications be awarded as listed below for an amount not to exceed \$90,000 for the first year with two additional one-year renewal periods resulting in a total three-year contract in an amount not to exceed \$270,000.00.

COMPANY

Helena Agri Enterprises, LLC
Heritage
BWI

ITEMS

Primary Vendor
Secondary Vendor
Tertiary Vendor

Event Number	RFP #23-019	Organization	City of Carrollton Purchasing
Event Title	Plant Protection Chemicals	Workgroup	Purchasing
Event Description	The City of Carrollton is soliciting requests f	Event Owner	Julie Ketterer
Event Type	RFP	Email	Julie.Ketterer@cityofcarrollton.com
Issue Date	3/24/2023 10:00:02 AM (CT)	Phone	(972) 466-3105
Close Date	4/24/2023 02:00:00 PM (CT)	Fax	

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
Heritage Professional Products	Carrollton	TX	4/21/2023 01:16:49 PM (CT)	16	\$498,956.56
Helena Agri Enterprises, LLC	Greenville	TX	4/24/2023 05:07:14 PM (CT)	16	\$679,288.50
BWI Companies, Inc.	Carrollton	TX	4/25/2023 08:51:10 AM (CT)	16	\$951,879.34

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.



Agenda Memo
File Number: 6161

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *12.

CC MEETING: May 16, 2023

DATE: May 8, 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 Second Quarter Ended March 31, 2023.**

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 second quarter ended March 31, 2023 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 May 4, 2023 meeting for in-depth review and discussion.

FINANCIAL IMPLICATIONS:

This report provides all information related to all the securities investment transactions performed by the authorized investment officers for the second quarter ended March 31, 2023.

STAFF RECOMMENDATION/ACTION DESIRED:

Consider a resolution accepting the Investment Officer’s Quarterly Report for second quarter ended March 31, 2023.

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 SECOND QUARTER ENDED MARCH 31, 2023, 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 Second Quarter ended March 31, 2023 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 16th day of May, 2023.

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith A. Ladd, City Attorney

Diana K. Vaughn, CFO



Agenda Memo
File Number: 6162

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *13.

CC MEETING: May 16, 2023

DATE: May 9, 2023

TO: Erin Rinehart, City Manager

FROM: Cory Heiple, Environmental Services Director
Marc Guy, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute A Contract Renewal With Freedom Commercial Services, LLC For Mowing And Code Violation Abatement Services Through An Interlocal Agreement With The City Of Lewisville In An Amount Not To Exceed \$83,029.00.**

BACKGROUND:

This contract will be utilized by the Environmental Services Department for health and safety services, primarily for mowing and trash and debris abatement. The City of Lewisville currently has an annual contract with Freedom Commercial Services, LLC to perform these services. This interlocal agreement meets all State of Texas competitive bidding requirements and resulted in an award to Freedom Commercial Services, LLC through City of Lewisville RFP #22-12-A.

FINANCIAL IMPLICATIONS:

The services provided through this interlocal agreement are funded through the Environmental Services operating budget. Code violation abatement costs and applicable administrative fees are placed as liens on the property and costs are recouped at the time of the lien payoff.

IMPACT ON COMMUNITY SUSTAINABILITY:

Providing code violation abatement and the elimination of blight are essential components of community sustainability and reduce the negative impacts that non-compliant properties have on Carrollton neighborhoods.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to negotiate and execute a contract renewal with Freedom Commercial Services, LLC for mowing and code violation

abatement services through an interlocal agreement with the City of Lewisville in an amount not to exceed \$83,029.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AGREEMENT WITH FREEDOM COMMERCIAL SERVICES, LLC. FOR THE PURPOSE OF PROVIDING MOWING AND CODE VIOLATION ABATEMENT SERVICES THROUGH AN INTERLOCAL AGREEMENT WITH THE CITY OF LEWISVILLE; 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 Manager is authorized to enter into a contract agreement with Freedom Commercial Services, LLC. through an interlocal agreement with the City of Lewisville in an amount not to exceed \$83,029.00.

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 upon passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 16th day of May 2023.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Cory Heiple
Environmental Services Director



Agenda Memo File Number: 6171

Agenda Date: 5/16/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *14.

CC MEETING: May 16, 2023

DATE: May 11, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider An **Ordinance Canvassing The Returns And Declaring The Results Of The May 6, 2023 General Election.**

BACKGROUND

A General Election was ordered at the January 24, 2023 to elect a Mayor and Council Places 2, 4, and 6. In accordance with the State Election Code, the City Council is the canvassing authority for the May 6, 2023 General Election. One person in each Place received a majority of the votes. Attached to the Ordinance is the tabulation of results for Mayor and Places 2, 4, and 6.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the Ordinance canvassing the returns and declaring the results of the City of Carrollton's General Election held May 6, 2023.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE CITY OF CARROLLTON GENERAL ELECTION HELD MAY 6, 2023, FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCIL MEMBERS TO PLACES 2, 4, AND 6.

WHEREAS, notice of said election was actually given by the City as required by law; and

WHEREAS, said election was duly and legally held on May 6, 2023, in conformity with the election laws of the State of Texas, and the results of said election have been certified and returned by the proper judges and clerks thereof; and

WHEREAS, the City Council of the City has considered the returns of said election held May 6, 2023; and

WHEREAS, the election returns, duly and legally made, showed that there were 8498 ballots cast at the election and that each candidate in the election received the following votes:

	<u>Total Votes</u>	<u>Percent</u>
<u>Carrollton – Mayor</u>		
Steve Babick	4522	53.21%
Young Sung	1505	17.71%
Adam Polter	<u>2471</u>	<u>29.08%</u>
	8498	100.00%
 <u>Carrollton – Council Member, Place 1</u>		
Jason Carpenter	5076	62.83%
Eddie Lopez	<u>3003</u>	<u>37.17%</u>
	8079	100.00%
 <u>Carrollton – Council Member Place 4</u>		
Andrew Palacios	4666	58.50%
Brittney Verdell	<u>3310</u>	<u>41.50%</u>
	7976	100.00%
 <u>Carrollton – Council Member, Place 6</u>		
Mike Dooling	3067	37.61%
Daisy Palomo	<u>5087</u>	<u>62.39%</u>
	8154	100.00%

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

SECTION 1.

It is determined the results of the May 6, 2023 General Election as canvassed and tabulated reflect the expressed desires of the qualified voters of the City.

SECTION 2.

In accordance with Texas Election Code § 67.004(b), a tabulation setting forth the following information for each candidate is attached as follows:

1. The total number of votes received in each precinct, the sum of the precinct totals, and the total number of voters in each precinct who cast a ballot for a candidate, for Collin County is attached hereto as Exhibit “A” and incorporated herein by reference as if written word for word.

2. The total number of votes received in each precinct, the sum of the precinct totals, and the total number of voters in each precinct who cast a ballot for a candidate, for Dallas County is attached hereto as Exhibit “B” and incorporated herein by reference as if written word for word.

3. The total number of votes received in each precinct, the sum of the precinct totals, and the total number of voters in each precinct who cast a ballot for a candidate, for Denton County is attached hereto as Exhibit “C” and incorporated herein by reference as if written word for word.

SECTION 3.

Steve Babick, Mayor; Jason Carpenter, Place 2; Andrew Palacios, Place 4; and Daisy Palomo, Place 6 all received the majority of the votes cast and are declared duly elected, subject to the taking of the oath of office.

SECTION 4.

This Ordinance shall become effective from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this the 16th day of May 2023.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST

APPROVED AS TO FORM:

Chloe Sawatzky, City Secretary

Meredith A. Ladd, City Attorney

EXHIBIT A

Numbers pending Collin County final election totals.

EXHIBIT B

Numbers pending Dallas County final election totals.

EXHIBIT C

Numbers pending Denton County final election totals.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6172

Agenda Date: 5/16/2023

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentation

Agenda Number: 15.

CC MEETING: May 16, 2023

DATE: May 11, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Presentation Acknowledging The Service Of Outgoing Councilmembers And Welcoming The Newly Elected Officials.